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SKETCH OF THE OFFICIAL CAREER

OF .

THE HON'BLE ASHLEY EDEN C.S.I.





# SKETCH

OF THE

OFFICIAL

OF THE

HON'BLE' ASHLEY EDEN, C.S.I.,

*Lieutenant-Governor of Bengal.*

WITH AN APPENDIX CONTAINING THE HON'BLE ASHLEY EDEN'S  
EVIDENCE BEFORE THE INDIGO COMMISSION, THE TREATY  
WITH SIKHIM, &C., &C.

**Calcutta :**

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**As a token of**

**THE**

***BEST REGARDS AND THE HIGHEST ESTEEM***

**THIS PUBLICATION IS RESPECTFULLY DEDICATED**

**TO**

**His Highness Mahatab Chand Bahadoor,**

**MAHARAJADHIRAJ OF BURDWAN,**

**BY**

**HIS HIGHNESS'S HUMBLE ADMIRER,**

**THE PUBLISHER.**



## PREFACE.

THE materials from which this publication has been written are scanty. With what success my attempt has met I leave to the indulgence of the considerate reader to determine. I take the opportunity to tender my thanks to Moulovie Abdool Lutiff Khan Bahadoor for the assistance he has rendered to me in bringing out this publication. I am also indebted to Rajah Rajendra Narayan Deb, Bahadoor, for the suggestion he has made with respect to the introduction of the likeness of the Hon'ble Ashley Eden.

K.



## THE HONORABLE ASHLEY EDEN, C. S. I.\*

The Honorable Ashley Eden has, in the course of his official career, made many enemies and many friends. His friends have, on the whole, been true to him, and since he became Lieutenant Governor, his very enemies have begun to find that they almost love him. It is difficult for us, therefore, to realise at the present day the conflict of opinion in respect of him that divided Indian society not many years ago. The following extract from a sketch in the *Pioneer*, expresses very fairly the state of the case at the time to which we refer. "The portraits of the Honorable A. Eden in the Anglo-Indian Press" (says the writer) "convey the idea of an official Ghoul of naturally malign proclivities or of a bad-tempered Indian Machiavel. The Native papers, on the other hand have, uniformly held him up as the undaunted champion of their rights and claims, their chief protector against 'the self-seeking of the

\* It is perhaps desirable to state that in the following pages no regular biography of the Hon'ble Ashley Eden as an individual has been attempted. We fully subscribe to the opinion so happily expressed by the writer in the *Pioneer* that "there is not, in the whole Indian Service, one who is more *emphatically a public man* [than Mr. Eden.]" Connected with him, more or less intimately, there are numerous questions of permanent historical interest, and the endeavour of the present writer has been to discuss some of these questions with an eye to their true historical import, and, therefore, necessarily, more largely than he could otherwise do if he had kept before him the limited requirements of a mere biography. Besides, in the following pages, official records have been very largely used, but as the language has been, in many instances, modified to suit the requirements of a narrative, the writer has not been scrupulously exact in always marking these off with the usual quotation signs. He has, however, in every instance fully indicated the source of his information.



European adventurer.' The English public has not on the whole, in Bengal at least, cherished towards him very friendly feelings. He has been too frequently in opposition to great interests to be much loved ; and men will ascribe all evil to him who puts their craft in danger, however closely he may follow ideas of duty, false or true. Even those who have suffered nothing at his hands regard him with suspicion as a clever and prejudiced official, whose pen drops gall, and whose tongue cuts shrewdly ; who came somehow to grief in Bhootan, and is, therefore, presumably the author of every misfortune that has befallen the country since. Among his brother officers there are many whom his sparkling abilities and social geniality have made his friends ; and it is said no stauncher friend than he could any man possess. But his inability to overlook an inanity, forgive an injury, or endure a snob,—his reckless satire and love of pungent antithesis,—have made him seem to many a very guerilla, the Ishmael as it were of the Civil Service—

*Impiger iracundus, inexorabilis, acer,  
Jura negat sibi nata, nihil non arroget armis.*

There is not in the whole Indian Service one who has been more emphatically a public man, regarding whom more facts are known or more lies told, or who has been the happy recipient of more rapid promotion."

Mr. Eden was born on the 13th of November, 1831. He is the third son of the late Lord Auckland, Bishop of Bath and Wells, and therefore, a nephew of the late Earl of Auckland, the Governor General of India. He received his early education at Winchester, and of course, completed it at Haileybury. At College he was rather idle but got credit for natural abilities and a remarkably quick apprehension. At an early

age he displayed that perfect geniality of disposition which was destined to win him in after life an unbounded popularity among a strange people, such as rarely falls to the lot of persons in power. It is said that the suavity of his manners and his thorough frankness made him loved by almost all with whom he came into contact. As he grew up, this frankness became developed into a fearlessness in advocating the cause of truth regardless of consequences.

Mr. Eden began his Indian career in 1852. He was first appointed to the Assistant Magistracy and Collectorship of Rajshaye, and then, for a few months, he was put in charge of the Subdivision of Nattore. He was next posted to the Subdivision of Aurungabad in Moorsshedabad. Even then he was popular with the Natives, and was "as restless an assistant as ever plagued methodical Magistrate." But no man knew his jurisdiction better. Much is said, in these days of luxury and quiet, of our local officers being over-worked, but Mr. Eden, after doing his official work, found sufficient time to cultivate friendly intercourse with those who were placed under his charge. His Bungalow was open to all who cared to visit him, for there could be no information bearing on his district, or the districts near, which he did not welcome at the hands of those who were only too ready to assist him with what he wanted. Between this young officer and the people of his subdivision, there was a perfect cordiality of understanding. This thorough knowledge of his jurisdiction and the relations that existed between him and the people came to be useful in many ways to him and to the Government he served. When the Sonthal insurrection broke out, (notwithstanding the belauded efforts of Mr. Pontet,)\* the first intima-

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\* We are sincerely glad that the *Friend of India* has changed hands and "the house that John built" at Serampore has passed away. Here is

tion of the rising that reached Government was from Mr. Eden at Aurungabad, simultaneously with despatches from Rajmahal which was seriously threatened, and not from the authorities immediately concerned. To quote from the author of *Sonthalia and the Sonthals*, "it was in or about the 25th June, 1855, when some servants of an Indigo planter residing at Aurungabad, and who had gone into the Sonthal country to collect coolies for the Indigo manufactory, returned, terror-stricken, to their master with the intelligence that they had been seized by a large body of armed Sonthals on the war trail, who warned them to retire at once, for vengeance was to be taken on their enemies for injuries received, and upon Mahajuns and Government officials in particular. They had already commenced by decapitating every Policeman, Inspector, or Mahajun who was unlucky enough to meet them." Information of this was immediately sent to Mr. Eden who was then in charge of Aurungabad. "It was well for the interests of Government, and for the protection of life and property," observes Mr. E. G. Man, "that

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what John wrote of Mr. Pontet—"with little more jurisdiction than that of a Deputy Collector, he has acquired among this wild people a power which is almost regal. He has increased the revenue paid to Government from 2,000 to 43,000 Rupees a year, and this with so little oppression that the Sonthals have increased in number to 82,795 souls, inhabiting upwards of fourteen hundred villages. The most unobservant way-farers can instantly discover the circle of Mr. Pontet's jurisdiction, for whereas beyond it there are villages containing Five thousand inhabitants without one solitary hackery, within it there are broad roads from Village to Village, and the country is alive with the activity of a quiet and prosperous people." Indeed, a tacit satire, as Mr. Man observes, (in *Sonthalia and Sonthals*,) upon the article quoted above "is offered by the fact that, sometimes after it was written, this very contented happy and prosperous people rose up, goaded to rebellion by the wrongs they were suffering, and fought until their hearths were bathed in blood, their villages, and themselves, in the district towards Deoghur, reduced to a state of starvation and utter misery."

this intelligence came to one who had ability to conceive, and energy to carry out, a plan which probably saved the towns of Jungipore, Moorshedabad, and the surrounding country from being looted." A bold demand for troops startled the Magistrate at Berhampore, who, however, failing to realise the full extent of the danger sent only a squad of Burkundazes, and even this, after "plentitude of questioning as to how, and why, and when, for which hereafter due reprimand from Government." In default of troops, however, Mr. Eden armed the upcountry servants of the neighboring zemindars, and with such force as he could command, held the insurgents in check till succour came. A special commissioner was appointed for the suppression of the rebellion and Mr. Eden was his first Assistant. The activity and energy he displayed on this occasion were invaluable. The hot sun of July was no obstacle to him, and one officer writes "he was everywhere and did everything." In fact, the speedy suppression of the rebellion was entirely due to Mr. Eden's untiring exertions.

In distinct recognition of his services on this occasion, Mr. Eden was made the first Deputy Commissioner of the Sonthal Purgunahs. His attention was first directed towards removing those causes that had provoked the hostility of an otherwise quiet and inoffensive people, and chief among which was unquestionably the oppressions committed by a corrupt Police. His report, with its recommendations, was the first instalment towards the freedom which the Sonthals at present enjoy, and the first great blow struck at the oppression that had for some years weighed down the light-heartedness of that primitive people. The outlines of the special rules for the administration of the Sonthal Pergunahs were originally dashed off by Mr. Eden, though popularly these have always been ascribed to Mr. Yule who only afterwards elaborated them. The result of these special rules was that "the whole

of the Police, with their stations and all their paraphernalia of oppression, extortion, and cumbrous red-tapeism, were swept clean out of the Sonthal Pergunahs, and the duty of keeping the peace, arresting criminals, and of carrying on all executive duties, was vested in the villagers themselves, the head-man of each village being made responsible that the duties were carried out. A few regular guards were left merely as a personal escort, and as a protection to the Assistant Commissioner." The Regulation Courts also, "with their herds of leeches in the shape of badly paid and corrupt Amlah and pettifogging Mooktears, were abolished, and in their place a number of English gentlemen termed Assistant Commissioners were set down amongst the Sonthals," with a code of simple rules for their guidance.

These are the outlines of what is known in this country by the name of the Non-Regulation System and which has, with various modifications as to detail, been applied to many parts of India. Of its adaptability to the requirements of a primitive people, there ought, after the experience of more than a score of years, to be no two opinions. But the tendency of the times is to suppose that the Sonthals are pampered unduly by the Government and that they had better be brought under the Regulation system. Of course, it is the wish of all the large landed proprietors of the Sonthal Districts to see the rough and ready mode of administration at present followed give way to the regularity and perfect security that they suppose the ordinary law affords. But we greatly fear that those who lend themselves to the advocacy of these views of the Land-holders are much mistaken as to the true character of the Non-Regulation system. The difference between this and the Regulation system will be best understood, at least as regards some of the salient points of each, from what the author of *Sonthalia and the Sonthals* has said of the two. Here is how he describes them.

"In the Regulation Provinces, law in all its majesty and technicality is enforced, and no discretion is left to the presiding officer to temper his decision according to the caste or customs of the parties in the suits. In the Non-Regulation Provinces, equity, in the true acceptance of the word, guided by the spirit of the law, is enforced without any of the cumbersome rules, intricate procedure, or expensive formula of the sister system. In the Regulation Provinces, the more subordinate officers, even to the Magistrates and Collectors of the first grade, are but mere cogs in the wheel of the Government machine ; while in the Non-Regulation system, the Assistant and Deputy Commissioners have more independent action, and are more powerful for good and evil. In the former, a man of small energy and mediocre abilities, or positive corrupt qualities, is under so many checks, that the evil he is capable of committing is reduced to a minimum, and his incapability and corruptness may pass along unnoticed ; while in the latter case, a man of the same calibre is a powerful engine of wrong and oppression, and soon has his district in such a state of disorder, that a moderately just and penetrative superior has no choice but to obtain his removal. Whilst, however, the fact of his incompetence and infamy is becoming known, the district may be suffering, and countless cases of hardship and injustice undergone by the people for the protection of whom he has been placed. But on the one hand, while a bad man can temporarily do more harm and injustice in a Non-Regulation than the same person could do were he in a Regulation Province, yet, on the other hand, an active, energetic, and high-minded gentleman, with a just idea of his duties, can do a great deal more good in a Non-Regulation than the same man could do in a Regulation Province, for he is less tied and has more power for free action."

Considering the general ignorance of the people and the

surrounding circumstances of Sonthalia, we think the time is yet far off, when law, as understood at present in the Regulation Provinces, can be fitly introduced among the Sonthals.

To return. The Sonthal insurrection was quelled and Mr. Eden's services were recognised ; but his health was gone. The exposure of the campaign had been too much for him. He fell ill and a change of air became necessary. He proceeded to the Mauritius to enjoy the sea breezes for a time ; but even here, there was *work* before him. To a man of his large sympathies which always rise superior to the prejudices of creed and color, oppression coming from whatever quarter is capable of giving active work. The Creole planters treated the coolies they imported from India with grievous cruelty. The authorities quietly slept, not knowing what was the state of facts, or not caring to know it. It was Mr. Eden who first directed public attention to the heartless conduct of these capitalists, and well was it for the unfortunate coolies themselves that it was Mr. Eden who took up their cause. To quote the words of the writer in the *Pioneer*, "the massacre of the Indian coolies perpetrated at Flat Island under the name of quarantine, roused Mr Eden's indignation. His scathing letters in the local papers drove the Creole planters wild ; while his statements to Government on his return to Calcutta led Lord Canning summarily to suspend all Coolie emigration to the Mauritius until the Colonial Government gave substantial guarantees that such a scandal should not recur. "

Mr. Eden returned from the Mauritius in 1856, after a stay there of only a few months. He was then appointed as Magistrate and Collector of Baraset. He continued at Baraset till 1859, when he was called upon to officiate as Junior Secretary to the Board of Revenue. In the following year, however, he was once more a Magistrate and Collector, but this time of Cuttack in Orissa. It was hinted at the time that Mr. Eden's transfer

from Bengal to a neighbouring Province was a concession to the Indigo planters, of whom here-after ; but there was little truth in this rumour, for it is well known that Mr. Eden's conduct throughout the Indigo controversy had Sir J. P. Grant's emphatic approval.

Here closes Mr. Eden's subordinate executive career ; and before we proceed, we may well stop to consider some of its most salient features. We have already noticed his eagerness to acquire a thorough knowledge of the districts to which he was posted, and his restless activity in the discharge of his duties. But, above all, we think, that career has been characterised by two very noble qualities,—a desire to mix with the people and know by personal contact their wants and aspirations, and a thorough impartiality of behaviour. It can, we think, be said of few officials, in these days, that they are capable of rising superior to the prejudices of creed and color, and of taking the Natives by the hand as subjects of the same Crown. The average civilian not unfrequently discourages by a frown all attempts at familiarity on the part of even the most respectable Native, and is too often willing to attribute such attempts to merely selfish motives. In some cases, impressed with the belief that his covenanted dignity is too sacred to permit a familiar approach, he seeks by his demeanour to scare inferior mortals away. Indeed, it is our firm conviction that the gulf that at present exists between the two classes of Her Majesty's subjects in India is mainly owing to the exclusiveness of the Englishman. Those Englishmen, who like Mr. Eden, forgetting the distinction of color, have largely mixed with the Natives of the country, can best say whether the Natives are not forward to contribute all they can towards promoting that healthy intercourse which is desirable on so many grounds. It is idle to talk to the Native of throwing open his zenana and receiving Europeans in his domestic circle. A Native never



throws open his zenana even to a Native, and yet there is no want of good understanding between Orientals on that score. Nevertheless, it is particularly gratifying to be able to state that the number of Englishmen is steadily on the increase who are not ashamed to own friendship for or acquaintance with a Native. Since the Mutiny, among those who have earnestly laboured towards the promotion of equal intercourse between the two classes, the Hon'ble A. Eden unquestionably occupies a foremost place. It is said that while at Baraset he knew almost all the large tenant-proprietors by name—veritable plebeians who, according to some, carry contamination wherever they go and have the peculiar property of defiling the precincts of an Englishman's abode. His memory is yet cherished by thousands of ryots with affection, and many now joy to think that it is *their* Eden Saheb who has at last been made their Lieutenant Governor.

The impartiality of Mr. Eden and his adherence to principle were, we think, thoroughly tested during the Indigo excitement. We would not willingly call back those times, when the leading organs of the planting interest sought to prove that the Government of the country lay under immense obligations to the Indigo planters who sought only to develop the agricultural resources of the country and to rescue the people from ignorance by establishing *patshalas*, or from death by opening charitable dispensaries ; and that therefore it would be exceedingly ungenerous, nay, positively thankless, on the part of the servants of that Government to offer opposition to such good men by releasing the persons *they* might think proper to imprison, often in the choicest of places, or by seeking to punish them for having only set fire to a few ryots' houses, (perhaps for the purpose of purging the atmosphere of all tainted matter,) or for having only killed a few individuals who had better die than live if they would be obstinate enough

to refuse to live happily and in affluence by cultivating Indigo,—when the same organs of enlightened public opinion were employed in magnifying every effort the ryots made in their ignorance to free themselves from the dominion of their Indigo masters into rank treason against the established Government of the country, and calling for instant military operations in order to its peremptory suppression—when even the Lieutenant Governor of the Province was not found unwilling to arm Indigo planters with judicial authority, doubtless for the purpose of increasing their power of doing good,—when the acceptance of a few rupees from the factory, or rather, the bare allegation of such an acceptance, was openly maintained even by high Government functionaries as giving the factory an indefeasible lien upon the acceptor's land—when those who had the courage to speak out were told by superior authority that they had better hold their tongues and take a lesson from their betters,—and when the pure fountain of justice even was here and there openly impeached as having been defiled by the operation of class sympathy if not of any thing worse.

We have no mind even to dwell upon the unhappy memory of those times; and all that we would say is that when such was the state of public opinion and such the disposition of the authorities of the land, it was no easy matter for subordinate officials to speak out. It required, we think, no small moral courage to openly side with the cause of truth at such a juncture. But be it said to the honor of England's Empire in the East, that even then, among her sons, men were not wanting who dared to incur the displeasure of the authorities, knowing the serious consequences of that displeasure to their best interests, rather than be even silent spectators of fraud and oppression. Among those who could not be repressed by superiors or become accessory to oppression, the name of Mr. Eden, will be long remembered. His worst enemies among

the planters could not but admire the calm courage with which he upheld the cause of the ryots. The doctrine had somehow grown and found supporters among the authorities that the acceptance by the ryot of advances from the factory, or rather the *exparte* allegation of such acceptance, gave the Indigo planters a lien over the lands of the ryot such as even the zemindars owning a permanent property in the soil had not, a lien which was frequently enforced by ploughing up the ryots' fields already sown with other crop, and sowing thereon the Indigo seed. Mr. Eden was one of the few who called into question the legality of this strange doctrine. After many bickerings between himself and his Commissioner, in which his orders were frequently upset, he at last issued a *rubakari* which had the effect of teaching the ryots that it was optional with them to accept or refuse advances from factories for the cultivation of Indigo, and that the giving or receiving of advances for Indigo cultivation was a purely civil contract which could, in case of breach, be enforced only by resorting to the regular civil tribunals of the country, and that all attempts of the Indigo planters to enforce these contracts by violence were cognizable by the Police as the constituted guardians of the public peace. The anger of the planters of Baraset, and of their brethren in other districts, when this effort was made to teach the ryots their true rights, may well be conceived. Based as the Indigo cultivation was in those days upon a system of fraud and violence, they knew it could not last a day longer if these principles were accepted. The most urgent representations were made by the planters to the Commissioner for the revocation of this obnoxious instrument. The organs of the planting interest became rabid over it. All this was too much for the quiet Commissioner who cared more for his desk and salary than for the weal or woe of a few thousand natives. Very willingly he sided

with the planters and called upon Mr. Eden to revoke his orders. Mr. Eden, however, was determined not to give way so quickly. He requested a reference to Government, and whatever the decision might have been in former years, the right principle was affirmed in 1859. Mr. Eden forwarded this decision of Government to his subordinates with an explanatory letter. One of these officers embodied the substance of this letter in a Perwanah addressed to the Police. This Perwanah certainly went further than the text upon which it was based, yet it was by no means that inflammatory document which the planters and their friends attempted to make the public believe it to be. The rising generation will have some idea of the inordinate selfishness of the planters, and the utter disregard for decency with which they could discuss questions affecting their interests, if we publish this simple instrument which was stoutly maintained to have been subversive of the laws of honest trade. It runs as follows.

“Be it known,—a letter of the Magistrate of Baraset, dated 17th August 1859, has arrived, enclosing extract of a letter, No. 4516, from the Secretary to the Government of Bengal, dated 21st July 1859, and addressed to the Nuddea Commissioner, which, in referring to certain Indigo matters, states, that the ryots are to keep possession of their own lands, sowing thereon such crops as they may desire ; that the Police should take care that neither Indigo-planters, nor other persons should interfere with the ryots ; the Indigo planters shall not be able, under pretence of ryots having agreed to sow Indigo, to cause Indigo to be sown, by the use of violence, on the lands of those ryots ; and if the ryots have indeed agreed to do so, the Indigo planters are at liberty to sue them for the same in the Civil Courts, the Foujdaree Court having no concern whatever in the matter ; for the ryots may bring forward numerous objections to their

“cultivation of the Indigo, and in respect of their denial of the “above agreement.

“Therefore this general Perwanah is addressed to you. You may act in future as stated above. *The 30th of August, 1859.*”

In reply to the denunciations hurled at the Deputy Magistrate who circulated this notice, the late Hurrish Chandra Mookerjee with characteristic banter, said,—

“Doubtless, the doctrine is atrocious that the ryot should “do as he pleased with what was his own ; that he, a British “subject and the owner of his land, should sow it with what “seed he chose, that he who was told by his Indigo masters “that his Indigo master was his Government and his God on Earth and who believed it, should be told that he lived under a mere constitutional Government ; that he should be “told what the real state of the law as affecting his case was !”

In 1860, Mr. Eden appeared as a witness before the Indigo Commission. His evidence before the Commission stands on record a straight-forward and lucid testimony characterised by an earnestness and love of truth, certainly very remarkable. When asked whether the cultivation of Indigo was, in his opinion, the result of free agency on the part of the ryots or was in a great measure compulsory, he stated very candidly that with the exception of Factories which had a large extent of *chur* land in their possession it was in no instance the result of free agency, but was always compulsory, and the reasons that induced him to hold this opinion were that he knew the cultivation of Indigo to have been *unprofitable* and therefore he could not believe that any ryot would take it up, involving as it did serious pecuniary loss to himself ; that it involved also an amount of harassing interference to which no free agent would subject himself ; that if it had not been so, the Planters would never have been compelled to resort to acts of violence to keep up

the cultivation ; that the Planters themselves *admitted* that if the ryots were free agents they would not cultivate Indigo ; that the Planters were under the necessity of spending large sums of money in the purchase of Zemindaries and other descriptions of rights admittedly for the purpose of acquiring territorial influence and powers of compulsion without which they could not procure the cultivation of Indigo ; that the ryots themselves would frequently state to him that they were never free agents ; and lastly, that as soon as the ryots became aware of the fact that they were by law and practically free agents, they at once refused to continue the cultivation. Of the five gentlemen who composed the Commission, Mr. W. F. Ferguson, admittedly a friend of the Planting interest, was the only one who attempted to cross-examine, and he began to ply Mr. Eden with question after question, not unoften framed with skill, and with the evident object of involving him in contradiction. But all his efforts only tended to more hopelessly embarrass the situation of his protégés. Mr. Eden's keenness was more than a match for that of his questioner, and, indeed, speaking as he did from mature conviction based upon careful preliminary inquiries, there could be little hope of detecting any crudeness in his opinions.

Mr. Eden was not the man to be affected by the conventionalities of society and he was far too firm in his adherence to principle to be expected to indulge in the unveracities of the time. When questioned as to whether in the then state of the Mofussil Courts with the Judges who then presided in them, he would like to see any European friend of his tried in them, his reply was that "if the courts were good enough for the Natives, they were good enough for the Europeans." Few officials would speak their minds so plainly out. But we need not dilate further upon this part of his career. Many of our countrymen are perfectly familiar with it, and to this day, the

songs composed in his honor by the national poets of Bengal are recited even in the zenana.\*

In 1861, Mr. Eden was selected to be special Envoy to the Court of Sikhim. But in order to understand the objects of this Mission it is desirable to recount a few preliminary facts. Towards the close of the year 1860, the relations between the British Government and that of Sikhim assumed an unfavorable aspect. Constant raids had been made upon British territory, property had been plundered, and British subjects had been carried off from their home-steads and either sold as slaves or detained by their captors. The delinquents who had taken part in these outrageous proceedings were well-known characters, and their surrender to justice was demanded from the Sikhim authorities. At this time the government of that country was entirely in the hands of the Raja's Minister or Dewan, an uncrupulous character of the name of Namgay. The Raja, an aged man, verging upon four

\* Some of these songs may be seen in that edition of the *Nil Darpana* which was brought out under the patronage of the late Babu Kali Prosunno Singha, composed by our countryman, better known by his *nom de plume*, *Dhiraj*. The best, unquestionably, is from the pen of Babu Rajkrishna Roy. At our request, Mr. O. C. Dutt has kindly supplied us with a translation. Here is it.

When like grim messengers of Death, the Planters one, and all,  
Brought utter ruin down upon the peasants of Bengal,  
'Twas then that to their rescue *Grant* and high-soul'd *Eden* came,  
And sternly put the tyrants down, and stopped their deeds of shame !  
Condemning thus e'en Englishmen, while for an alien race,  
They nobly show'd their sympathy, nor cared for pride of place.  
O rare indeed such sterling men, and rare it is to find,  
Such sense of Justice and of Right, such loftiness of mind !  
As rain-charg'd cloud and spreading stream revive a stricken land,  
So these great men saved thousands from the white oppressors' hand.

score years, had relinquished all cares of state, and was spending the few remaining days of his life in retirement at Chumbi in Thibet. His minister, Namgay, the virtual Rajah, was an intriguing, avaricious man, oppressive to his own subjects and insolent in his dealings with the British Government. He had first brought himself into notice in 1850 by the seizure of Dr. Campbell, then the Governor General's Agent in Darjeeling, and of Dr. Hooker, who were making a botanical excursion in Sikhim with the Rajah's permission. For this misconduct of his minister, the Rajah had to atone by the loss of a portion of his territory and the withdrawal of a pension which he had, up to that time, received from the British Government.

One of the delinquents who had taken a prominent part in the recent outrages was the Dewan's son-in-law ; and from the very beginning of the negotiations, the Rajah's Court clearly showed that it had no intention of complying with the demands of the British Government. The criminals whose surrender was demanded were living with the property they had plundered, and the people they had abducted, almost within sight of the Dewan's residence ; and no attempt was made either to arrest the one or restore the other. After some months had been spent in fruitless negotiations, Dr. Campbell, the Superintendent of Darjeeling, acting under the orders of the Bengal Government, with an escort of only 160 Natives and a complement of European and Non-commissioned officers, proceeded, on the 1st of November 1860, to occupy a portion of Sikhim territory. The inhabitants proved very friendly to the invading force, and Dr. Campbell found no difficulty in the way of an actual occupation. Unfortunately, however, when news of this occupation reached the Sikhim Court, the smallness of the force by which Dr. Campbell was supported encouraged the Dewan to attempt to get back the occupied tract by force of arms. Having succeeded in collecting a number of Bhootea mercen-



aries, the Dewan attacked Dr. Campbell's stockaded camp, and though repulsed with loss, succeeded in cutting off and destroying three outposts which were apparently rather injudiciously placed in isolated positions and out of the reach of succour. Next day the attack was repeated but with no better result. On the 30th November the Dewan retreated, but unfortunately the advantages gained by the British soldiers were counter-balanced by a very short supply of ammunition. It was found that there was not even sufficient to resist another attack in case such attack should be made. Under these circumstances, Dr. Campbell thought it advisable to retreat. No attempt was made by the Sikhimites to follow up the retiring force.

The retreat of Dr. Campbell greatly elated the Dewan. He openly announced his intention of driving the English from Darjeeling, and as an earnest of his sincerity, his troops crossed the frontier and committed several daring outrages in British territory. While these events were passing, Lord Canning was absent from Calcutta upon a tour in the upper provinces. On hearing of the retreat of Dr. Campbell, and the insolent attitude assumed by the Dewan, he was of opinion that strong measures and an unmistakable display of English power were necessary to bring the Sikhim Government to reason. A military force of some 2600 men was accordingly assembled at Darjeeling with instructions to march into Sikhim, and if possible to advance to the capital. The direction of the military operations was entrusted to Colonel Gawler of Her Majesty's 73rd ; and the Hon'ble Ashley Eden was appointed Envoy and Special Commissioner for the conduct of the political part of the business. The instructions laid down for the guidance of the Envoy were to the effect that atonement for past misconduct should be exacted, the discredit suffered by the retreat of Dr. Campbell should be removed, the Governing authorities of Sikhim should be made to feel

the English power, and finally that the Dewan should be either surrendered, or dismissed and banished from Sikhim territory. At the same time, assurances were to be given that there was no desire on the part of the English Government for territorial acquisition.

Colonel Gawler's force, accompanied by Mr. Eden, started from Darjeeling on the 1st of February, and reached Tumloong, the Sikhim Capital, on the 11th of March. The road lay through pathless forests, over snow-capped mountains, and unbridged rivers. The Sikhimites who had long cherished the idea that their country was impracticable for the march of British troops were paralyzed at the rapid movements of the force, and desisted after a time from all opposition. On the 12th of March, the force entered Tumloong. On the following day Mr. Eden had a public interview with the Rajah. The Durbar was attended by the chief Lamas, Kajeets, and other principal persons of the country. The negotiations were facilitated by a revolution that had been previously effected. The Dewan Namgay had fled the Country, and the old Rajah had abdicated in favor of his son who was acknowledged by all the various parties in the kingdom. On the 16th, the Rajah had a private interview with Mr. Eden, and expressed his willingness to comply with the demands of the British Envoy. On the 26th of the month all preliminary arrangements having been previously settled the new treaty was signed in a monastery near the Rajah's house, in the presence of all the officers of the force. It was then read out in English to the European troops; and in Bhootea to the native inhabitants. Copies of the treaty were despatched to all the neighboring States, and were also given to the Lamas and Chiefs of the Country. Its terms were certainly moderate. It exacted no humiliating concessions; it merely asked what it was the Rajah's duty to grant; stipulating that full compensation should

be made to those British subjects who had either been kidnapped or plundered by the Rajah's people; it provided for full indemnification for public losses sustained in Dr. Campbell's retreat; it guaranteed the opening out of the country to trade, and the removal of all restrictions on travellers and merchants; it fixed the maximum rates of transit duties to be levied on goods between British India and Thibet; it provided for the construction of roads and the security of those who traverse them; and lastly, it contained a provision for the banishment of the Dewan Namgay and for the future good conduct of the Sikhim Government.

Throughout these negotiations Mr. Eden's conduct was characterised by firmness, tact, and temper; while at the same time he thoroughly understood and acted up to the spirit of his instructions. While complete atonement was to be exacted, and immunity from future outrage secured. Lord Canning was desirous that this should be effected without an annexation which would have brought the British Empire into contact with the vast regions and the untractable people and Government of the Chinese Tartary. Mr. Eden himself, in the final report in which he reviews the result of his mission observes, "the instructions under which I acted enabled me from the very first to give the most solemn assurances that we did not wish to retain possession of any portion of the Sikhim territory; and I attributed it entirely to the confidence which was placed in these assurances that the surrounding States held aloof altogether from the quarrel. Nepaul is tributary to China, Thibet is tributary to China, and Sikhim and Bhootan are tributary to Thibet and therefore secondarily to China. Had these States not distinctly understood that we were not advancing with any intention of annexation, it is impossible to believe but that with such combination of interests they would all have joined to oppose us, if not avowedly at least secretly."

The Sikhim Mission over, Mr. Eden returned to the Secretariat of the Board of Revenue. In the following year, 1862, he was made by Sir Cecil Beadon, Secretary to the Government of Bengal. He remained in the Bengal Secretariat till 1871 when he became Chief Commissioner of British Burmah. Two short interruptions occurred, the first in 1863-4, when he was sent as Special Envoy to Bhootan, and the second, in 1867, when he went to England on furlough. As Secretary to the Government of Bengal, Mr. Eden showed "a marked capacity for business, disposing of the overwhelmingly detailed work of the Bengal Office with a regularity and rapidity that few men could ever hope to rival. He enjoyed also the full confidence of Sir Cecil Beadon as well as of his successor, Sir William Grey, but as Mr. Eden cannot be assumed to have been the Government of Bengal, it would be impossible to award him praise or blame on account of measures, his personal share in which, there are no means of estimating." This much, however, can be safely said, that Mr. Eden's personal experience and keen insight into affairs were always of value to the Government which he served.

It was in November 1863, that Mr. Eden set out on his Bhootan Embassy. The result of this Embassy was pronounced a failure, and Mr. Eden's conduct also was the subject of severe comment at the time. The day of vengeance seemed to have at last come. By his out-spokenness and contempt for conventionalities he had alienated the hearts of many of his countrymen, and this seemed the occasion when he could safely be reviled. The English people cannot brook failure and his mission was apparently a failure. Who else but *he* could, therefore, be blamed? Of all his calumniators, none attacked him more virulently than the late Serampore journal, believed at the time to be under the complete influence of certain men in power who were, perhaps, not

unwilling to pay back the grudge they bore him for what they thought were Mr. Eden's efforts to immortalise them in the columns of the *Indian Field*. But although the publication, of the Further Blue book on Bhootan Missions, presented to Parliament in 1865, has abundantly cleared his reputation by enabling the public to form a correct estimate of the real difficulties he had to encounter, still it will not be unprofitable to recapitulate briefly some of the circumstances connected with his Embassy. It was hinted at the time that the British Envoy did not meet with that active support from the Government of Sir John Lawrence which he had a right to expect. Indeed, the half-hearted approval accorded by the Government of India, the unaccountable mistake committed by the Foreign Office in drawing up the well-known precis of Bhootan papers, the forwardness of Sir John Lawrence in communicating to Mr. Eden the censures of Sir Charles Wood, and his equal obstinacy in not communicating to him the withdrawal by the Secretary of State of those censures, went a great way to confirm the worst suspicions that were entertained at the time by Mr. Eden's friends. We believe, Mr. Eden's success in Sikhim was the reason why the Government of Lord Elgin selected him as the fittest person to be entrusted with a similar mission to a neighboring country ; and considering the difficulties of the situation, Lord Elgin's Government could not have made a better choice. But unfortunately, the instructions conveyed to Mr. Eden were of a nature, that require, for their carrying out not a diplomatist but an army. The fact that a more favorable treaty had been obtained from the Sikhimpotee Raja, only three years before, was certainly, to a great extent, attributable to the exhibition of British bayonets, and not less so to the existence of an organised Government in Sikhim having a stake in the country and consequently

obliged to feel an interest in the result of the negotiations. But no army was sent to Bhootan and it was unfortunately not known at the time that there was no regular Government there. Needy adventurers who lived by plunder and rapine, shewing little consideration even for their own countrymen, and who prided themselves upon their skill in lying and deceiving, were not altogether the class of politicians upon whom a friendly embassy could have much effect. Indeed, it seems to us to be a matter of surprise that the Government of India should have at all resolved, in 1863, upon another friendly Embassy to Bhootan with the fact before them of similar missions from Captain Jones' in 1772 to Captain Pemberton's in 1837 having all failed to produce desirable results.

The instructions, then, under which Mr. Eden proceeded to Bhootan were conveyed to him in Colonel Durand's letter dated the 11th of August, 1863. They were as follows :—

1. "Outrages, extending over a series of years, which have  
"been committed by subjects of the Bhootan Government within  
"British Territory and the Territories of the Rajahs of Cooch  
"Behar and Sikhim, have rendered it necessary that measures  
"should be taken to revise and improve the relations existing  
"between the British Government and Bhootan. For this purpose  
"His Excellency, the Viceroy and Governor General has deter-  
"mined in the ensuing cold weather to send a special Mission to  
"the Bhootan Court, and has appointed you to conduct the  
"Mission. Credentials and suitable presents for the Deb and  
"Dhurma Rajahs will be furnished when the arrangements for  
"the organization of the Mission are further advanced. In the  
"meantime you will receive from the Bengal Government  
"copies of all the correspondence regarding the outrages  
"committed by the Bhooteahs, with which you will make yourself  
"familiar. The Bengal Government will also furnish you  
"with all information in their possession regarding the country

“ of Bhootan, and of a general kind which may be useful to  
“ you in the prosecution of the Mission. In your negotiations  
“ for accomplishing the special objects of the Mission you will  
“ be guided by the following general instructions, full discretion  
“ being left to you in matters of detail.

2. “Your first duty will be to explain clearly and distinctly,  
“ but in a friendly and conciliatory spirit, to the Bhootan Govern-  
“ ment, the circumstances which rendered it necessary for the  
“ British Government to occupy Ambaree Fallacottah and to with-  
“ hold its revenues. You will explain that the Government has  
“ no intention of occupying that Territory longer than the Bhootan  
“ Government by refusing compliance with its just demands  
“ renders such occupation necessary. This explanation will be  
“ accompanied by a demand for the surrender of all captives, and  
“ the restoration of all property carried off from British  
“ Territory or the Territories of the Rajahs of Sikhim and  
“ Cooch Behar and now detained in Bhootan, of which, in  
“ communication with the Bengal Government, you will make  
“ as accurate a list as possible.

3. “Unless these demands be fully complied with, the British  
“ Government will not relinquish possession of Ambaree  
“ Fallacottah. But if the Bhootan Government manifest a  
“ desire to do substantial justice, you will inform the Deb and  
“ Dhurma Rajahs, that while retaining the management of the  
“ district, the British Government will pay an annual sum of  
“ Rs. 2000,—or such a sum as may be equal to one-third of the  
“ net revenues, in the same manner as is done with the Assam  
“ Dooars, on condition of the Bootan Government restraining  
“ its subjects from future aggressions on British Territory or  
“ States under the protection of the British Government, and  
“ of their giving prompt redress for injuries which may be  
“ inflicted on the British Government in defiance of their  
“ commands.

4. "From the correspondence which will be furnished to you by the Bengal Government, you will perceive that the Bhootanese Authorities complain of aggressions on the part of British subjects and the inhabitants of Cooch Behar. You will request the Deb and the Dhurma Rajahs to furnish you with details of the specific acts of aggression complained of, and with reasonable proof of their commission, and you will offer to enquire into these cases if the Bhootan Government wish it, and to give such redress as the circumstances of the case may call for.

5. "You will next proceed to endeavour to effect some satisfactory arrangement for the rendition of criminals, by the British and Bhootan Governments respectively, who may hereafter be guilty of crimes within the Territories of either Government. On this point your negotiations will have to be conducted with the greatest care. You must bear in mind that from the inequality of the state of civilization, and the administration of justice, in the British possessions and in Bhootan, there can be no system of strict reciprocity between the two Governments. There are no securities for fair and impartial trial in Bhootan, such as exist under British laws. Moreover, while the procedure of the British Government in the rendition of criminals is limited and defined by Act VII. of 1854, the laws of Bhootan probably impose no restrictions upon the executive Authority in that country.

6. "The crimes for which it will be proper to arrange for the surrender of offenders are those specified in Act VII. of 1854. The British Government will be quite prepared to surrender, under the provisions of that Act, Bhootanese subjects who may take refuge in the British dominions, provided the Bhootan Government will surrender British refugee criminals on the submission to the Bhootan Government of such evidence of their guilt as may be satisfactory to the



“ local Courts of the district in which the offence was committed. It would be well, also, if you could prevail on the Bhootan Government to surrender for trial by British Courts any of their subjects who may commit within British Territories any of the heinous offences specified in Act VII of 1854. On this point you may meet with much difficulty and opposition. But the Viceroy and Governor General is not without hope that, by judicious negotiation and explanation of the just and impartial principles which regulate the proceedings of British Courts, objections to the surrender of such offenders may be overcome. The British Government will have reason to congratulate you if such a provision can be secured.

7. “ With regard to the Rajah of Sikkim, you will perceive that by article XVII of the Treaty of 1861, of which a copy is herewith forwarded to you, the Rajah engages to abstain from any Acts of aggression or hostility against any of the neighbouring States which are Allies of the British Government, and to refer all disputes or questions with such States to the arbitration of the British Government. The Rajah of Cooch Behar is by his engagement subject to the British Government, and as such is restrained from acts of aggression or retaliation without the consent of the British Government. You will fully explain to the Bhootan Government the position in which these two protected and dependent States are placed ; that any aggressions on these States will be considered by the British Government an unfriendly act on the part of the Bhootanese ; and that it will be proper for the Bhootan Government to refer to the British Government any questions or disputes with these States, which the British Government will always settle in such manner as justice may require.

“11. You will endeavour to secure the record of the result of your Mission in the form of a Treaty. A draft of such a Treaty as His Excellency the Viceroy and Governor General would desire you to negotiate is enclosed. In the main principles you will be limited by the instructions contained in this letter, but in all minor matters of detail, you will be guided by your own discretion and judgment and a regard for the interests of the British Government ; and upon the success with which you may conduct these negotiations to a conclusion will depend the credit which will attach to you, and the degree in which your services on this Mission will be appreciated by the British Government.”

These instructions were supplemented by the Government of India as regards certain minor points in their letter of 25th September of the same year, which we need not quote here.

Adverting to these instructions, the writer in the *Pioneer* keenly observes that “seldom, indeed, has British Envoy had such spur applied at starting.” It was pretty clearly intimated to the Envoy how his failure to reach and influence the Bhootan Court would be viewed by the Government of India. The judiciousness of this course is certainly open to serious doubts. We do not know how far this ‘spur’ of the Government of India operated towards placing Mr. Eden precisely in that situation which, of all others, the British Envoy, if he had been allowed larger discretion, would unquestionably have avoided. Mr. Eden was blamed, not only by the Government of Sir John Lawrence but by all his enemies at the time, and also by others who could not even wait for the publication of his Report, for having proceeded to Poonakha when it was manifest from the beginning that the Bhootan Authorities were unwilling to receive him. But we will not anticipate the after-discussion or interrupt the thread of our narrative. This much, however, may be fairly observed here, that it is evident from the above

extracts that Mr. Eden was entrusted with the duty of forcing upon the Authorities of Bhootan a treaty which no Government that has not been already upset by military force, or that was not conscious of its utter weakness, could possibly be expected to accept. Indeed, it appears to us that exaggerated notions must have prevailed somewhere as regards the Bhootanese dread of British arms, and the worthlessness of the Bhootanese soldiery. Without any further reflections, however, upon the policy that gave birth to this Mission we will, for the present, see how Mr. Eden actually proceeded to fulfil it and what were the difficulties with which he had to cope.

In the beginning of November 1863, Mr. Eden arrived at Darjeeling, and commenced to organise the Establishment and carriage of the Mission. No reply having been received from the Deb and Dhurma Rajahs\* he again addressed them on the 10th of November, intimating his appointment and announcing his arrival at Darjeeling, and requesting the Bhootan Authorities to meet him on the frontier, and make suitable arrangements for carrying on the baggage of the camp. Shortly after despatching this letter, it came to his knowledge that there was then no recognised Government in Bhootan, the whole country being in a state of anarchy and confusion owing to a rebellion which had broken out some months previously. A new Deb Raja had been set up, and a sort of straggling fight was going on between the followers of the new Deb and the supporters of the old. All this was reported to Government, and Mr. Eden was informed that as the rebellion had been successful and a substantive Government had apparently been re-established, it appeared to Government that the new Deb Raja might be desirous of cultivating a good understanding with the British Government in order to strengthen his position.

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\* See Appendix

On the receipt of these orders Mr. Eden made preparation to advance and wrote to the Soubah of Dalingcote, a Bhoota Frontier officer who had shown a friendly feeling towards the Mission, to send men to him on the Teesta, a frontier stream. There was some difficulty in collecting coolies, and these were unwilling to venture into Bhootan, the people being known to be a very cruel and treacherous race. By the assistance, however, of Cheebo Lama, the Dewan of Sikhim, who had been selected to accompany the Mission, some coolies were collected and they were started off to the frontier on the 1st of January. On the 10th, Mr. Eden and party left Darjeeling and overtook the camp just as they arrived at the Teesta, thirty miles from Darjeeling. It was here that the troubles of the Mission commenced. The coolies began to desert in numbers. The Lama, however, managed to procure assistance from his own ryots. In the absence of any arrangement by the Bhootanese, the party experienced much difficulty in crossing the river which is very deep and rapid. However, by constructing rafts, the whole party got off to the opposite bank in three days. On the 9th, they began to move up by a gradual slope through some cultivated villages to Kalimpoong. Here the party was obliged to halt for one day in order to muster the coolies and re-arrange the baggage. After experiencing some difficulty owing to the opposition of some inferior officers of the Bhootan Government, the party proceeded by a path intersected by mountains and ravines and reached Dalingcote on the 12th. The Jungpen (Governor) of Fort Daling who had been expected to store the camp with supplies declined to do so except at very exorbitant prices; besides, being coarse in his manners and too much given to the drinking of ardent spirits, he picked a quarrel with some of Mr. Eden's party, though when called upon by the British Envoy, he was not slow to send in a written apology.

It was while staying at Daling that Mr. Eden received a letter from the Deb Raja. It was evasive and undecided. He was told that he should intimate to the Jungpen what he had come for and that the Jungpen would then arrange for his seeing the Deb. Upon this the British Envoy plainly gave the Jungpen to understand that if the Bhootan Government was unwilling to receive him and discuss in a friendly manner the business with which he was charged, he would instantly report the matter to his Government, and that the objects of the Mission would then be sought by other means. The Jungpen, individually, was not averse to help the Embassy forward, for *he* had nothing to lose but every thing to gain by so doing. But he feared the displeasure of his Government who had neither instructed him to oppose nor to assist the Mission in any respect. And yet it was impossible for Mr. Eden to move forward without the Jungpen's aid. He was sorely in want of coolies as well as of provisions. Seeing the unwillingness of the Jungpen, Mr. Eden had previously sent Captain Austen to Julpigooree for stores which were brought to Daling in due time. With the greatest difficulty a few coolies were collected, but Mr. Eden was obliged to leave at Daling a considerable portion of his baggage as well as escort. With only Fifty Sikhs and a few Sappers, he moved forward on the 29th. Two days' march through a very unhealthy or desert tract intersected by streams brought the party to Sipchoo where there were only two grass huts and three or four cattle sheds, and a few men and women, although the Daling Jungpen had said it was a strong and peopled city. The coolies supplied by the Jungpen had only engaged to come as far as Sipchoo, so they began to fall back after having reached that place. The Officer in charge of Sipchoo who was to have supplied the Mission with coolies said that he could not do so, that he had received no instruction from his Govern-

ment, and it was necessary for Mr. Eden to stay at Sipchoo for three weeks during which period the Bhootan Durbar might possibly send some orders. Mr. Eden felt that to remain at Sipchoo for weeks after the detention he had already experienced at Dalingcote, on the mere chance of the Bhootan Durbar making some arrangements for his advance after having neglected him so long, was out of the question. There were two courses open to him, either to return at once to British territory, or to go on leaving behind him all his baggage and the chief part of the small escort he had with him. He determined upon adopting the latter course. Whether he was justified or not in this, we have elsewhere considered. Leaving behind all his heavy baggage and stores, and all his escort except fifteen Sikhs, on the 2nd of February, he advanced to Saigong, a fine open plain below the Tublah Pass. On the next day, the little party continued the ascent of the Pass and early in the day came to snow, and had to march till dark through the snow. At night they halted in a wretched place. On the 4th the Pass was crossed. It was 10,000ft. high. The spirits of the men were drooping and many would have deserted, but the fear of having to recross the Pass prevented them from so doing. After resting for a day, the party proceeded with great difficulty to the Fort of Sangbee. The Jungpen of Sangbee when called upon gave Mr. Eden to understand that he had received no instructions from the Durbar to either assist or resist him. The Jungpen, however, could not take upon himself the responsibility of saying that the Deb Rajah would not receive the British Envoy. After making arrangements, therefore, for keeping his communications open between Sipchoo and Dalingcote, and instructing the party left at Sipchoo to return to Darjeeling, for there was no hope of bringing them up, Mr. Eden after many fresh difficulties reached Saybee. Here he was met by some Zinkaffs (inferior

officers) of the Durbar who, on compulsion, showed him two letters addressed by the Deb Rajah to the Jungpen of Dalingcote, one as usual evasive, and the other calling upon the Jungpen to do all in his power to send the Mission back, and directing that if he should see that the British Envoy would take no denial to forward him to the Durbar by another route than that which Mr. Eden had actually taken. They, however, offered no active opposition and accordingly on the 10th of February, Mr. Eden and party left Saybee. They had to ascend a very steep zigzag. About the middle of the day Bhokur was reached, a plain at an elevation of 9000 ft. The Taigonlah Pass was to be cleared the next day. With great difficulty the ascent was made and then the descent was more difficult still. After proceeding a little further, the Sumchee road was found. It was rather easy. A few more marches brought them to Hah Tampien, the residence of a Jungpen. He was very friendly in his behaviour, for he sent firewood, fodder, and some flour. His manners were also very prepossessing. Mr. Eden was prevailed upon to stay at Tampien for one day. In the night, however, heavy snow fell. Fortunately the party was comparatively unaffected by it. On the 17th the weather cleared, but still it was difficult to proceed. Whilst staying at Tampien, Mr. Eden heard that a deputation from the Durbar was coming from the next Pass, either to stop or delay him. Mr. Eden, however, resolved to cross the Pass before the arrival of this deputation. The ascent of this Pass was the most difficult. After starting at day-break and toiling through snow for more than fifteen hours, without food and shelter, the party reached a village, perfectly exhausted.\* On arrival, this village

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\* Mr. Eden himself observes, "the road was continually lost in the dark, and we were delayed sometimes for three-quarters of an hour.

was found to have been occupied by the advance guard of the deputation from Paro. After some vexation and annoyance, a letter from the Deb Raja was produced, intimating to the British Envoy that he should return to the frontier for the purpose of re-arranging the boundaries with the Zinkaffs, and that on the event of no settlement taking place, he was to be allowed to proceed to Poonakha and have an interview with the Deb and Dhurma Rajas. On Mr. Eden's representing to them that he would not enter into any negotiations with any of the inferior officers of the Durbar but either proceed to Poonakha and see the Deb and Dhurma Rajas themselves in accordance with his instructions, or return to Darjeeling and report to his Government the unwillingness of the Durbar to receive him, they begged him to proceed to Poonakha and undertook to go forward and make arrangements for his reception. A letter from the Deb Raja was handed to him which was of the usual negative and evasive character but full of many professions of friendship. The messenger proceeded to Paro and returned with the assurance that the Penlow, the Governor in charge of Paro, would receive him with honor. After, however, the usual insincerity and forced politeness on the Penlow's part, the party proceeded to Poonakha. They waited for 16 days at Paro without any communications from the Durbar. It was on the 10th of March that they set out, reaching the capital on the 15th. What followed, we need not describe. How Mr. Eden was treated by the Bhootan Authorities, how he was threatened with imprisonment, how

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whilst it was being traced. Midnight passed and still there was no trace of the village which we were told was just below the Pass. At one in the morning we heard the welcome sound of a Thibet watch-dog baying, and reached the village perfectly exhausted, not having tasted food since the previous morning, and having marched through deep snow continuously for fifteen hours. *Bhootan Missions.*



he was compelled to sign a treaty most favorable to Bhootan, in order to be able to get his party safe home, how after forced night marches he reached Darjeeling, and how he was reviled for all this, are matters of fact very unpleasant to dwell upon. It is easy for men who have seldom themselves undertaken any responsible work, sitting by their own fireside, to pronounce this man or that to have failed, but we have not the least hesitation in saying that Mr. Eden did all in his power to carry out the objects of the Mission, and that superior tact, or diplomacy, or call it what you may, could not, under the circumstances, have produced better results. Mr. Eden, in all that he did in Bhootan, was guided by one object. It was to ascertain, by a personal interview with the superior Authorities of the country, whether *they* were cognisant of all the misdeeds perpetrated in their name, and whether they were unwilling to give satisfaction for the same, and he had resolved not to return to British territory unless the Durbar distinctly told him to do so. He was unwilling to give an opening to the Bhootan Durbar to say that *they* were perfectly willing to receive and treat with him for a friendly adjustment of their disputes, but that *his* return, caused probably by the statement of some inferior officers of the State acting without authority, prevented them from so doing.

But, perhaps, after all, the Embassy of 1864 was not altogether a failure, in as much as it produced some definite results. To quote Mr. Eden's words: "it may at first sight seem to be "a matter for regret that a friendly Mission should have been "sent into Bhootan, but from what I have seen of the Govern- "ment of that country, I am satisfied that it will in the end "prove to have been the best course which could have been "adopted. We have so many years borne patiently the out- "rages committed by these people on our territory that they "learned to treat our power with contempt; we now know that

“there is in point of fact no Government in the country, and  
“that it is quite impossible that there can be a Government  
“there sufficiently strong to warrant an expectation that they  
“will ever become good neighbours. We were formerly res-  
“trained from avenging the insults offered to us by a doubt of  
“the complicity of the higher Authorities : we now know that  
“they are the instigators and promoters of every act of law-  
“lessness and aggression on our frontier, and that all British  
“subjects captured on these occasions are kept as slaves in  
“their Forts and residences.”\*

Perhaps, it was characteristic of the behaviour of the Government of Sir John Lawrence towards Mr. Eden that the Government in their despatch to the Secretary of State should say that “it was clear at the outset that the Bhootanese had no intention of receiving him (Mr. Eden); they did much to deter him from marching forward, almost from the very first.” So Mr. Eden had himself to blame for the insults heaped upon him by the Bhootanese, and the physical sufferings entailed upon him for his resolution to do his duty. He had anticipated some such charge, and it is necessary to quote his reply. “The “Mission of 1837,” he says, “had been treated with neglect “almost as great, and yet had reached the Durbar and returned, “though unsuccessfully, yet without any attempt at violence “being shewn them, and I felt that if I turned back under such “circumstances, the Bhootan Durbar would make capital out “of the position and declare that they had made arrangements

• No doubt, Mr. Eden here speaks with a reserve that is becoming his position as an official, and as such cannot openly disapprove of an act of his superiors. We suspect, however, that if it had been left to him originally, he could never have advised the Government of India to send another friendly Embassy to Bhootan after the failure of all previous Embassies of the kind, and after what the Frontier Officers since 1855 had been so constantly, and be it said, so ably, insisting upon.

“for my reception at Poonakha, and had been prepared to  
“discuss in a friendly spirit the demands of our Government,  
“but that their good intentions had been frustrated by my  
“return. I also felt that if I turned back I should have been  
“accused of having been disheartened and discouraged at the  
“first trifling difficulties which presented themselves. Further,  
“as Government had seen no reason why I should have delayed  
“crossing the frontier on account of the failure of the Bhootan-  
“ese to make any arrangements for my reception, it did not  
“seem to me that they would approve of my turning back now  
“when no greater hostility had been shewn than was shewn then.  
“Taking all this into consideration, therefore, I came to the  
“conclusion that, though I had not been received by the  
“Government of Bhootan as I should have been, yet that I had  
“not been treated in a manner which would render it imper-  
“ative on me to turn back, knowing that my so doing would  
“necessitate an enforcement of our demands by other means.  
“I was willing to attribute much of the neglect with which  
“I had been treated to the disorganised state of the Govern-  
“ment and the natural *insouciance* of the Bhooteahs ; the local  
“Officers whom I met assured me that this was the case, and  
“that if I once reached the Durbar I should be received in a  
“hospitable and friendly manner ; and though they were some-  
“what suspicious of my intentions, these suspicions were likely  
“to be allayed rather than the reverse by my coming on  
“without any force.” Yet this was not all. Mr. Eden was  
blamed as, at any rate, having erred in judgment. But it has  
since been made manifest that in every advance that he made,  
he was directly encouraged by the Authorities at Calcutta.  
Sir Cecil Beadon also, writing on the 20th of September,  
1865, said that ‘he (Mr. Eden) was assured of the  
support of the Paro Penlow, and though the Durbar had  
shown an unwillingness to receive him, they had absolutely

refused to incur the responsibility of desiring him to return. It has, therefore, always seemed to me that Mr. Eden was right, under the circumstances, in going on from Paro, and that if the Government approved of his conduct in other respects, he deserved their unqualified support."

And yet, the Government of India did not hesitate to attempt to rob Mr. Eden of the praise that was unquestionably his due for the resolution and constancy with which he had endeavoured to do his duty and carry out their orders. In the well-known precis of Bhootan papers it was very distinctly stated that Mr. Eden proceeded to Poonakha on his own responsibility, without the least intimation having been given to the Authorities at Calcutta, or any encouragement received from them. The truth of this statement was questioned in the leading columns of the *Englishman*, and the *Westminister Review* in a powerful Article\* undertook to show up the disingenuousness of the Foreign Office in this matter. The Secretary of State also took the matter up. Then followed the publication of a correspondence, the most strange that has ever been seen even in India. It had been alleged that the statement contained in the Foreign Office precis of Bhootan papers was entirely borne out by the records of the Foreign Office, that "there was no letter, public or demi-official upon the *records*, nor was any received in the *office* at the period referred to, other than those (which had been

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\* Some of the Up-country papers attributed the authorship of the Article in the "Westminister" to Mr. Eden himself. But Sir Cecil Beadon in his letter to the Governor General, dated 25th September 1865, (see Further Papers relating to Bhootan, p. 39) wrote that "he was desired by Mr. Eden to state, though there was hardly any necessity for it, that he (Mr. Eden) had nothing to do with the article, or with any part of it, directly or indirectly, and that he was equally ignorant of the writer and of the source from whence he might have derived his impressions apart from the Parliamentary Blue Book."

quoted in the *précis*)” although “there was no doubt that certain demi-official communications were received by the Viceroy and the Secretary.” *These* were for the first time brought upon record officially and copies of the same transmitted to the Secretary of State. Upon the receipt of these papers, Sir Charles Wood wrote to the Government of India that “the demi-official character of the correspondence does “not affect the question. There are occasions, such as those “which attend difficult and hazardous missions when it may be “necessary to depart from the formal mode of official correspondence, and in the absence of such communications, “demi-official or private letters to public functionaries have “all the force of official correspondence, and ought generally “to be placed upon your records. The omission to do this in “the present instance has led to unmerited imputations being “cast upon Mr. Eden, no less than upon Mr. Aitchison, [who had “drawn up the *précis*] in connection with the contents of the *précis* “to which your Excellency’s letter under reply especially refers ; “and an imperfect statement of the correspondence between Mr. “Eden and the authorities has been submitted to Her Majestys’ “Government. It now appears that not only had Mr. Eden, “who has been blamed for proceeding from Paro to Poonakha, “reported the progress of the Mission to the Lieutenant “Governor of Bengal and to the Secretary in the Foreign Department, but that he had been encouraged by Mr. Beadon to “proceed in spite of the obstacles which threatened his advance. “Had you been aware of this at the time, your Excellency “doubtless would not have recorded the opinion expressed in “paragraph 2, of your letter to me, dated 1st June 1864; and “I should not, in my despatch of the 18th July, have concurred “in the opinion expressed by your Excellency’s Government, “that after the discouraging circumstances which attended the “advance of Mr. Eden in the Bhootan country, especially after

“his arrival at Paro, it would have been sound discretion, upon his part, either to have withdrawn the Mission at once, or to have halted at Paro, and sent an express soliciting further instructions from your Excellency’s Government.”

After this stormy episode in his career, Mr. Eden continued to work as Secretary to the Government of Bengal. As we have already seen\* he filled this office for a period of about nine years with remarkable ability. Two interruptions only occurred, the first in 1863-4 when, as we have stated, he went to Bhootan, and the second in 1867 when he went to England on furlough.

In 1871 Mr. Eden was appointed to the Chief Commissionership of British Burmah. His four years’ administration of the Province may present no one feature which can assert any especial prominence for itself, but from every point of view, it is admitted on all hands, there has been a distinct advance of the country in wealth and material prosperity owing to strong and careful Government. Mr. Eden’s statesmanship is not demonstrative ; his work, though vigorous, is always quiet, and to be rightly appreciated requires close attention in the observer. The questions with which, while in British Burmah, Mr. Eden had to deal, saving a few measures of internal economy, were principally those affecting the establishment of better relations with the Court of Ava and the neighboring Provinces, the opening of a trade route to Western China, the suppression of frontier raids, and the education of the people. In some of these, he succeeded even beyond expectation ; and if in the others the desired success has not been attained, it is certain, at any rate, that if his policy is persistently followed, the day will not be distant when the Government will have cause to congratulate itself on satisfactory results.

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\* See page 21.

The first year of Mr. Eden's administration of British Burmah opened with a distressing dead-lock in trade caused by the King of Burmah's action. With a view to stimulate and extend trade in his own dominions, and appear before the world as a royal patron of commerce, as well as to meet his immediate wants, the King of Burmah, acting under the advice of evil counsellors, succeeded in inducing the European Merchants to give him guarantees that they would sell all their imports of piece-goods and other commodities to him only or his agents, whilst the Chinese and other traders were persuaded to give similar guarantees that they would buy all their piece-goods from the royal brokers. The first result of these measures was that piece-goods were sold very largely. They were in fact purchased by the King in quantities far exceeding the legitimate demand, and consequently the market became depressed. It was impossible for him to sell as fast as he bought, and he began to give away the goods to his troops and servants in lieu of pay ; and the latter in their turn tried to convert the goods into cash by selling them in the Bazar for whatever they would fetch. These forced rates soon caused a glut in the market. They were of course ruinous to the Bazar dealers who had given full market rates to the King, and who found their stock remaining unsold on their hands. They accordingly complained to the Political Agent that the King had created a monopoly of trade in contravention of the terms of the Treaty of 1867.

It was obvious, however, that the royal trade in piece-goods bore no resemblance to the creation of a monopoly. Neither the Political Agent nor the Chief Commissioner could, therefore, afford these traders immediate redress. The British Government manifestly could not exercise its authority to prevent the King from buying and selling piece-goods like any one else if he chose to do so, and though his position and capital gave

him an unfair advantage, the right of others to sell and buy was not questioned though it was practically restricted. All that the Chief Commissioner, therefore, could do was to offer friendly advice to His Majesty upon the subject. But for some time, advice could not be expected to produce any salutary effect. So long as cupidity still flattered itself with an endless prospect of gain, so long as the Utopia of state commerce had not received a shock from the irresistible laws of political economy and arithmetic, it was not in human nature, to say nothing of barbaric princely nature, to be dissuaded. When at length the King saw that by his commercial operations he was by no means acquiring the reputation he had anticipated, and was besides losing money, Mr. Eden was at hand with his appropriate counsel. *Now* the king was, though not without great reluctance, induced to cancel the several guarantees he had received. The change soon manifested itself in its effects, trade returned to its old channels and easily accomodated itself to the laws of supply and demand.

We cannot sufficiently applaud Mr. Eden's behaviour throughout this crisis. The local clamour for direct Government interference was echoed in England by some powerful firms who, as usual in matters affecting their interests, sought by every means to hamper the action of the local Authorities, by moving the higher ones. But from the first, Mr. Eden had correctly understood the position, and was not in the least disposed to apply violent remedies—measures, that is, whose curative efficacy was doubtful, and which were often worse than the disease. His noiseless success, though it brought him no accession of reputation with the vulgar, justified his calm wisdom. Without the exercise of an overbearing pressure, but by friendly advice alone, he effected that which in all probability an impatient administration would have rushed by



endless negotiations to accomplish and burnt its fingers in the attempt.

The commencement of the year 1872 saw the despatch of a Mission to England by the Court of Ava. This circumstance gave a handle to Mr. Eden's enemies to find fault with him. It was openly said that during the very first year of Mr. Eden's administration, the relations existing between the British and the Burman Governments, so far from having improved in any respect, threatened to become more complicated; that the overbearing action of the Local Government forced his Majesty of Ava to turn towards the Queen of England for protection. But the charge had not a spark of truth in it. In order to rightly understand the event, a little acquaintance is needed with the past history of Burmah and the policy pursued by the British Government of India for a long course of years with regard to the Eastern frontier of the Empire.

Of the three divisions, Arakan, Pegu and Tenasserim, comprising the Province of British Burmah, Pegu alone represents about a third of the total area. Pegu became British territory in 1852. Since that period, the King of Ava has never ceased his endeavours to recover possession of that province. In 1854, an Embassy from the Burmese Court asked from Lord Dalhousie that the province might be given back, but the reply was, "as long as the sun shines in the heavens, so long will the British flag float over the province of Pegu." For a true explanation of the vehemence of this reply,—doubtless apparently inconsistent with the usual tone of a diplomatic response—we are *not* to turn to the known proclivity of the ablest of our Indian administrators to aggrandise the limits of the British Empire in the East, (often, it must be confessed, at the expense of Britain's fair fame) or to his known inclination to retain what was thus acquired with a tenacity that is unsurpassed, but to the history of Pegu itself in connection with Burmah,

and the numerous frontier States and Principalities of Eastern Bengal extending northwards to Assam. At the risk of being pronounced tedious, we would attempt a short summary here of that history so far as is necessary to the clear understanding of the subject

The Mahomedan conquerors of Bengal found their north-eastern, eastern and south-eastern frontier occupied by several independent kingdoms and tribes, the chief of which were those of Cooch-Bihar, Kamrup or Assam, Tipperah and Arakan. There were doubtless many others in the unexplored jungle and hills. Indeed, the whole of the Indo-Chinese peninsula was divided and subdivided, like India itself, between an infinity of tribes and principalities. North-east of Tipperah lay the valley of Manipur. East and south-east of Assam were the Shans. Beyond Arakan lay Taungu and Prome, and Martaban and Siam towards the south. East of Tipperah was Ava now Burmah. Last not least was Pegu, contiguous to Arakan. These names, of little significance in these days, are not calculated to raise associations of their former greatness or the extent of their boundaries. The ancient importance of Cooch-Bihar may be inferred from the esteem in which it was held by the Court of Akbar, as may be seen in the *Ain*. Assam while continually tempting the ambition or cupidity of conquerors, long struggled for its independence with the Mahomedan rulers of India and occasionally retaliated on them by ravaging the fair but defenceless fields of Bengal. Tipperah, separated from the Indian Empire by the Megna and the Brahmaputra and embracing the whole country from Chittagong to Sylhet and Rangamati and part of Assam, maintained with no little prowess its independence to the last, even though sometimes plucked of its best plumes. Last, not least, Arakan—whether under Asiatic away or European occupation, preserved its old terror for the Hindu imagination as the

Land of Rakshases, man-eating demons or giants. It never lost an opportunity of laying claim to south Bengal, and if the Mahomedans sometimes humbled its pride, the Arakanese often carried the war into the heart of Bengal, insomuch as to necessitate the transfer of the capital to Moorshedabad. But during the centuries of Mahomedan dominion in Bengal, the most powerful of the Indo-Chinese states was Pegu. Pegu indeed was the seat of an empire which included the neighbouring states. Pegu was the Lord Paramount, and Arakan, Tangu, Prome, Siam, Martaban, and Ava were vassals. In course of time, however, that great colossal state (which, commencing from the foot of that mountain range which separates Burmah and Cochin China from China Proper, swept across almost the whole region until its shores were washed by the ocean) torn by internal feuds, aggravated by Portuguese intrigue, fell, dismembered into half a dozen smaller states. But the subtle European poison was fatal to the smaller principalities on the sea-board which were accessible to it. After some time of occupation by Portuguese adventurers who entered into both political and tender relations with the powers that were in that quarter, Pegu and Arakan were one by one, rescued from foreign influence, and ultimately incorporated in the rising Empire of Burmah. Before the English ascendancy in Bengal the Burmans had completely turned the tables on the neighbours to whom they had hitherto crouched. Their success in extinguishing the Portuguese power in Pegu emboldened them—a conceit confirmed by the success of their arduous struggle with their cousins of Arakan who hated them with proverbial hate. The other states in that neighbourhood fell an easy prey, or voluntarily submitted. Tipperah alone kept them at bay and thus the safety of Bengal, and possibly of India also, at a critical period in Indian history depended on the exertions of a kingdom now not larger,

perhaps, than the largest Zemindary Mehal in any of the permanently settled provinces of India.\*

It was a real danger at a time when the Mogul empire had fallen to pieces, eaten up by internal decay, ere yet a consolidated, self-reliant British Power had taken its place. On the contrary the Burmese had in the Eastern Peninsula recently established a considerable empire on the ruins of numerous states. Their star was yet in the ascendant ; they had not yet tasted of disappointment ; they felt within them the self-consciousness of an imperial race. The riches of the Gangetic Delta tempted them with the enchantment of a far-off charm, to which besides they could assert a better claim than many a foreigner. Were they not the conquerors of their cousins of the coast, and hence heirs of that Arakanese kingdom which included a great portion of Bengal ? It was for the moment lucky that a strong neutral power occupied the entire hills from Chittagong to Sylhet.

In the dark days preceding the downfall of the Moguls and all through the Revolution in Bengal which gave territorial importance and political power to the British merchants trading to the East, Tipperah alone, of all on that frontier, in

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\* So little is known by the public at large of the history of these border States, that this assertion, indeed the whole account, may be received with incredulity. But all these states have special national annals of their own, whose general accuracy may be tested by the histories of India and Burmah. The success of the Tipperahs in self-government is matter of Indian history. Their power and efficient administration in the last half of the 18th century may, for one reason, be legitimately inferred from the fact that we hear so little of the kingdom. There was neither necessity nor temptation to outsiders for interference. It may here be observed that Mr. Damant in the *Journal of the Asiatic Society* testifies to the greatness of Gharib Nawaz, the prince of Manipur (see p. 46) who as H. H. Wilson remarks, "rather unaccountably bore a Mahomedan designation."

spite of minor internal troubles at times, maintained a stable government, prosperous at home and respected abroad. The principalities to the north and north-east were then as since the theatre of endless intrigues and rivalries, or of guilty ambition. In the strait of one party or the other, the patronage was sought of the Great Powers in the neighbourhood. Manipur, indeed, for a short time, was rescued from obscurity by the genius of Gharib Nawaz, who, impatient of the petty hill barriers which confined him, extended his arms all round. Checked on the west by the vigorous resistance of the Tipperahs, he concentrated all his energies on the conquest of Burmah, which he ravaged, in more than one expedition, defeating its troops and seizing its capital. An incapable and lustful paricide, however, he abruptly ended his brilliant career and dissipated for ever the prospects of the Mekli race.\*

Manipur now in return felt the scourge of Burman reprisal and retribution until it was compelled to solicit aid from Bengal. It was that dubious period of our history following upon the Revolution of 1757 which had effected a change of dynasty without establishing a strong native Government. The fame of the fair foreigners, so skilful and steady, who had played such an important part in the war, had penetrated beyond the frontier. The application came to, and was grasped at by them, with a mixture of foresight and foolhardiness. A defensive and offensive alliance being entered into between Manipur and Calcutta, Mr Verelst, the chief of the British settlement, ordered a handful of troops from Chittagong to march against the Burmans who were already in the valley. With such numbers, without the necessary local knowledge, and unsupported by other alliances in that quarter,

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\* The Manipuris are usually called Mekli by the Bengalis.

it was an absurd expedition, encouraged doubtless by the easy success of the English in Bengal, and it failed miserably, as it deserved, even before it could reach the scene of action. Having thus once burnt their fingers, the Calcutta Government conceived a worse than wholesome repugnance to frontier connection. They imbibed an exaggerated dread of their difficulties and dangers.

The East India Company under incapable and unpatriotic local representatives, bent on amassing private fortunes and at feud with one another as in the worst native court, presented the spectacle of a mercantile association but timidly feeling its way into political power in Bengal, as yet unprepared to venture on frontier responsibility, though a little boldness in time might have saved a world of future trouble and sacrifice. Policy indeed demanded vigorous action after the first disgrace, if only to recover prestige. But, in curious contrast to the policy pursued within India and in relation to the states in the west, not only were all temptations to extend influence in the east and north-east firmly resisted, but even the necessary frontier precautions were neglected, and, worse still, even outrages were passed over. Burmah, raised to imperial greatness by the conquests of its illustrious Allompra, in a right Roman spirit, responded in every instance to the call declined by the British, entered Manipur, and Assam, and Kachar—all states save Tipperah—in support of one party or another, raising or upsetting administrations and constitutions, making or unmaking Kings. It was not until the year 1822 when a Burmese garrison in Manipur advanced to Kachar to chastise the treacherous Manipuri fugitives there and re-establish the desposed prince Govind Chandra in his throne, and the inhabitants of Sylhet fled across the Megna and alarm spread through-out East Bengal, that our Government thought it time to take effectual means for protecting its possessions in that quarter

and guarding the exposed frontier. Then it brushed up its knowledge of the extreme east, and proposed alliances it had spurned. But it found the task not so easy. It required all the resources of the British Indian Empire to protect its own dignity from the insolence of Burmah which had too long been left to believe that the East India Company or other local representatives feared to wage war with his Golden-footed Majesty of Ava. It is no part of our intention to enter into a narrative of that arduous struggle which followed the proclamation of war in March 1824 and which ended in a satisfactory peace late in 1825. But this much we may observe, that besides other advantageous terms of that treaty, a considerable portion of Burman territory that the English arms had conquered was permanently ceded to the British Government of India. By the issue of this contest, was set at rest, for all time to come, those exaggerated claims of the Court of Ava for cession of British land, sometimes up to Dacca, sometimes to Moorshedabad, but always comprising the fairest districts of Eastern Bengal, and preferred with all the insolence of unchecked success. Apart from the value of these acquisitions of conquest which were indeed no better than mere rock and jungle then—the impressive lesson afforded to the Burmese must be placed foremost in estimating the value of the advantages secured to the British Empire of India by the war of 1824–25. That war, if it taught anything, taught the insolent and aggressive successors of Allompra that for a Power like theirs to cope with the British Government of India was absolutely impossible. It taught the disaffected or well-affected peoples of India also that the handful of fair foreigners who had obtained dominion over them was really invincible. Yet even the permanent British occupation of the ceded Burman territory, all rocky and jungle as it was, was not without its effects. It served to remove an ambitious and grasping power to a distance from







the more fertile portions of the British dominions, and to substitute, in some instances, a strong and defensible frontier in place of one more open to irruptions. Indeed, as Mr. H. H. Wilson in his *Historical Sketch* observes, the frontier states "distracted hitherto by incessant feuds and over-run by hostile armies, or peredatory bands, had been converted into wide and unwholesome thickets and ceased not only to be the haunts of man, but had become hostile to human life." A strong frontier line has been secured, and under its protecting shadows, these states which had "ceased to become the haunts of man," have bloomed into fair gardens yielding a considerable revenue.

Viewed in this light, the permanent British occupation of the Burmese Provinces acquired after the war of 1824-25, in spite of its unpopularity at home at the time, must be regarded as a political measure of no small importance. Arakan and Tenasserim were already British. Without Pegu, however, the measure could not be complete. For Pegu comprised all the maritime provinces of Burmah, and completed the frontier line southwards. Hence, in 1852, when the renewed arrogance of the Court of Ava led to a second Burmese war, advantage was taken of the Burmese humiliation to demand the surrender of this strip of land and formally annex it to the British Indian Empire. But although the Court of Ava submitted to this annexation at the time, it could by no means surrender one of its fairest provinces, without, at least, the very excusable weakness of entertaining a distant hope that if not by arms, at least by diplomacy it would at some future time regain what it had then to part with. Considering also the political significance of Pegu in Burman eyes, from its past history, the dignity of the Court of Ava suffered in its own esteem as well as in that of its Asiatic neighbours, by such a surrender. Embassy succeeded embassy, all with the object of re-acquiring Pegu. But Lord Dalhousie, who

well understood the political significance which the possession of Pegu would confer on the Court of Ava in the eyes of the other Indo-Chinese states, and who was alive to a fault to the advantages of maintaining a vigorous line of frontier defence, in the hope of permanently dissipating this Burman expectation, used those vehement words which we have already quoted. But although so frankly dealt with, the King of Burmah could not give up his master passion of obtaining Pegu by diplomacy, and has persistently pursued his course in this matter, never throwing away a chance and not over-scrupulous in using such means as those chances might offer. Failing in his direct appeal to the Government of India, he sought to reach the Authorities at home, and looked about for help from other Sovereignities. In 1860, in reply to his representations to the Court of St. James, the King was told by the Ministers that no portion of British Burmah could possibly be given up. Local circumstances afforded him facilities for communicating with America, and the friendship of the President was appealed to. A French adventurer took advantage of His Majesty's weakness, and was despatched to the Emperor Napoleon. The King of Italy was approached through other sources. No wonder that Lord Mayo, in 1872, addressing the Native gentlemen and officials of British Burmah at a public reception in Rangoon should repeat the language of Lord Dalhousie, "let no man tell you that any change is likely to occur; Arakan, Pegu and Tenasserim are British, and British they will remain for many generations of men." Yet all these fruitless negotiations, and the assured utterances of the British Government, have not succeeded in disabusing the Court of Ava of the idea that their wish can be obtained. Thus the Embassy of 1872 to England had a much deeper meaning than what lay on the surface, and directly proceeded from the King of Burmah's master-passion and the hope of obtaining Pegu by diplomacy for the reasons

which, we fear, we have rather elaborately explained, and was *not* the result of any local tyranny as was at the time sought to be made out.\*

During Mr. Eden's administration, the relations between British Burmah and Siam also were prominently brought under notice. The timber trade on the Salween river carried on by the British subjects had been greatly impeded by the disputes between the Chief of Zimmai who is a feudatory of Siam, and the Chief of Eastern Karennee, nominally under the suzerainty of Ava. The lives of those who were engaged in the trade were exceedingly insecure in consequence of the numerous gangs of robbers who infested the Salween frontier. The absence of protection of life and property, and the unsatisfactory condition in respect to the rights over the forests and the settlement of the constant disputes arising therefrom, made it most advisable in the interests of all parties that some clear understanding should be arrived at. In April, 1871, Captain Lowndes was deputed on a Mission to Zimmai with the view of promoting friendly relations with the Chief, and providing for the better protection of foresters. The Mission however was unable immediately to accomplish its primary object. The Chief was friendly, and appeared to be arriving at some sort of understanding with the Chief of Eastern Karennee; but otherwise he was extremely apathetic and it was obvious he would make no effort to redress the grievances alleged against him, excepting under compulsion from the Court of Siam. Under such circumstances application was made to the British Consul at Bangkok, and the Siamese

\* See "*The Indian Observer*," of the 13th of April, 1872. It is a curious fact that with the history of the two Burmese wars before the world, no other journal should be able, or have the fairness, perhaps, to explain this Burmese Mission to England correctly.

Government commenced the adjudication of claims against its distant vassal, and even paid considerable claims preferred by British subjects. In order to arrive at a more satisfactory understanding, however, a treaty was concluded between the Siamese and the British Governments which provided for efficient means being taken for the repression and punishment of robbers and marauders, as well as for the establishment of a mixed Civil Court in Zimmai consisting of officers appointed by the Siamese Government and a British Officer to watch the proceedings, for the adjudication of disputes between such foresters as were British subjects and the Siamese Chief. Unfortunately, however, this treaty soon proved a failure. Asiatic subjects are not, perhaps, the fittest persons to pronounce verdicts, even in a just cause, against their own Sovereigns. The doctrine that the King can do no wrong, is understood literally in Asia, and does not receive here that liberal and enlightened—and indeed, the only excusable—interpretation that it does in Europe. Instead of the very useful theory that the Sovereign, as the head of the state, is legally incapable of committing a wrong, and thus affirming his inviolability of person, in Asia a wrong is hallowed when committed by the Sovereign, or if not hallowed, is allowed at least to go without a remedy. No wonder that the Siamese Officers, from a dread of responsibility for proceedings which threatened to decree their immediate suzerain liable for large sums of money in favor of British subjects, manifested an unwillingness which proved insurmountable to the discharge of the duties that were expected of them. Indeed, there seems to be little hope of arriving at any satisfactory arrangement with Zimmai unless the very practical suggestion of Mr. Eden were adopted by the Government of India. That suggestion refers to the establishment of a Consulate or Vice-consulate at the head-quarters of Zimmai. When it is

remembered that the allegiance of Zimmai to the King of Siam is at most nominal, it is evident that a treaty concluded with a Bangkok Ministry will command only the most superficial attention from a Zimmai Prince, unless a direct and continuous supervision by a Resident representative of the British Government be rigidly insisted upon. And although the raids on the Salween frontier have been effectively put a stop to by the establishment of a line of strong police stations, yet the Salween timber trade is still in a very unsatisfactory basis.

During the year a Mission also arrived at Rangoon from the Court of Talifoo, bearing friendly messages from Sultan Souleiman, the reigning sovereign over the Panthay territory in Western China. The Mission comprised Prince Hassan, a son of Souleiman, Prince Yusuf, a nephew of the Sultan, and Ibrahim Khan, an interpreter. When Major Sladen in 1868 was despatched for the purpose of opening a route from Bhamo, the Vizier of Sultan Souleiman was Governor of Momein and had hospitably entertained the party and promised every assistance in clearing the routes between Bhamo and Momein. Thus the Panthays having received a Mission of English Officers sent a return one, and although attempts were made to dissuade the party from proceeding to England, yet their instructions having been stringent they were forwarded to Calcutta, and eventually to England.\*

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\* The fact is certainly curious that in spite of all that the Local Government of India and its dependencies have done towards explaining to the Princes and Powers of Asia that as regards the adjustment of their relations with the British Power they ought always to deal with the Local Government and *not* with the Home Government, these Princes and Powers should yet insist upon opening direct communications with England. To many, we are afraid, this circumstance might afford a handle for maintaining that the Colonial Government possesses little

The other important event connected with Mr. Eden's administration of British Burmah is that which appertains to the opening of a trade route to Western China. Indeed, although as yet no success has been achieved in the direction, still the efforts that have been made and the progress already attained, leave little room for doubt that the opening of a high road of commerce between British Burmah and China offering the requisite degree of security to traders and goods is only a question of time. The existing trade routes and their condition might best be described in the words of the Administration Report for 1873,-74. It is said that "British Burmah with magnificent sea-ports, more easily and safely reached than any in the Bay of Bengal, or in or beyond the Malayan Peninsula, has one main artery piercing to the very centre

credit in the eyes of Asiatic Princes for fairness and frankness in its dealings with them, and that the superior honesty of the Home Government which is known all the world over is the only attraction why Embassies from Eastern Courts are always directed to proceed to England. But the right explanation of the fact seems to be that delegated Sovereignty, with a fixed pay attached to it, is what the Asiatic Princes can never conceive to be any species of Sovereignty at all. Thus in all instances they turn to the Sovereign in *khas* residing in England, and not to any of Her Majesty's representatives here, who, they openly say, are only paid servants of the Crown doing what the Crown directs them to do. Indeed, in justification of the Princes, it might be said that the idea of delegated Sovereignty in the sense in which the Viceroy of India is a Sovereign, as an out-growth of European civilization, is more than Asiatic Princes can realize. Nor, perhaps, speaking from this point of view, has it been altogether so very wise for the Home Government of the day, to dress up Her Majesty in Imperial robes and presenting Her in stronger relief than before to the Princes and Powers of Asia, overshadowing Her representatives in the East, although of course in other respects, the measure is not calculated to be altogether unproductive of very wholesome results.

of Indo-China. The Irrawaddy river carries steamers at all seasons of the year seven hundred miles into the interior, and at Bhamo a trade *entrepot* is reached which is only one hundred and fifty miles from the frontier of China and but half that distance from friendly Shan states which are tributary to China. This route into western China has, we know from history, existed for five hundred years and even when the lower Provinces of Burmah were under Native rule and the sea-ports jealously closed, there was a valuable trade between Burmah and China. The route is in fact, self made, and of late years opportunities have not been neglected by the Government of India to free the through trade of as many obstacles as possible. Rapid and regular steam communication from the Sea-board to Mandalay and Bhamo has been established by commercial enterprise and Government subsidies, and the Imperial customs demands have been reduced to a nominal amount. \* \* \*

Since the suppression of the Panthay rebellion, the commercial intercourse between the province of Yunnan and Bhamo is steadily increasing, and the Chinese firms in Rangoon are establishing branches at the last named mart. The Burmese Government seem inclined to run their steamers between Mandalay and Bhamo and, indeed, from all sides it is apparent that this route—the traditional Western entrance into China—is destined to develop far beyond its condition at any previous point in history. The Rangoon and Irrawaddy State Railway for the construction of which sanction has been accorded by Her Majesty's Secretary of State comes most opportunely as the most fitting exhibition of the determination of Government fairly to take in hand the thorough establishment of rapid and direct communication between the coast and the great inland markets."

The importance of procuring accurate information and a scientific survey of the Bhamo trade route and its capa-



bilities, has been constantly before the Government. In 1868, Major Sladen with a fitting escort had been despatched on a mission of observation. The party, however, succeeded only in reaching Momein; so, eventually, it was decided to organise an expedition on a scale and with equipments which should contain every guarantee for success, and comprise every essential for reaching the coast of the Pacific Ocean through the almost unknown regions of Western and Central China. Negotiations to secure the unmolested passage of the party and their escort as far as the confines of China were concluded with the King of Burmah, and by an arrangement with the British Minister at Peking a deputation from the Chinese Consular Service was, to leave Shanghai in September 1874, and endeavour to reach Bhamo overland, before the expedition from the Burmese side should commence their march. It is of course well known that the unfortunate Mr. Margary was selected for this arduous duty, who after a tedious journey successfully reached Bhamo in the middle of January 1875. The history of the progress of this expedition and the tragical end of Mr. Margary himself are well known to all. It is not likely that any fresh decisive measures will be soon resolved upon after the complications that resulted from the ill success of the last expedition. But, as we have already said, there is every probability of the traditional Western route to China being, not before long, made available to the requirements of commerce.

In addition to this valuable line of traffic which strikes Western China at the highest point available from Burmah, there are trade routes leading towards the Burman ports from other points of the Indo-Chinese Peninsula. The Shan states reaching from the lower confines of China to the upper borders of Siam, send their produce and draw their English manufactures by roads terminating in Rangoon and Moulmein. These

various routes converge on Tongoo on the North-eastern frontier of British Burmah. The communication between Tongoo and Rangoon being very imperfect, the project recommended by Mr. Eden, of connecting these two stations by means of a Railway, if soon carried out, would certainly lead to those routes being more largely used than now, and could not fail to advance the trade of British Burmah.

We will now turn our attention to some of the chief measures of internal reform that Mr. Eden worked out in the Province. Among these the suppression of Frontier raids into British territory will claim precedence. During the very first year of his administration his attention was drawn to the unsatisfactory state of affairs in the Arakan Hill Tracts. The Hill District was placed under the administration of a Special Officer called the Superintendent of the Hill Tracts, with an Assistant Superintendent of Police, and a Native Official. The Police within these limits were greatly strengthened, and formed into a separate force. A code of simple rules was also framed for the special administration of justice in these Tracts, more suited to the requirements of the people than the Regulations and Acts of the Government of India. The Superintendent was also instructed to cultivate and maintain friendly relations with the neighbouring Hill Chiefs. The special Police force being a well-trained body and occupying five stockaded positions all along the Frontier line, the raids which constituted one of the great difficulties of previous years, have been almost wholly stopped. Thus, good order and security to property have been introduced into the Hill Tracts and this has naturally been followed by a corresponding development of the agricultural industry of the people.

We come now to the Educational measures that Mr. Eden inaugurated for the advancement of the people who had the good fortune to be placed under his charge. The observation,

however trite, is true, that of all the benefits that it is possible for the rulers of the land to confer on it, that of Education is the most solid and lasting. Mr. Eden was not the man to be regardless of this fact. Indeed, his policy of non-interference where interference would only produce mischief, and his cautious reforms where reforms were needed, have brought about a state of things that would be creditable to the most successful administrator of any country. Mr. Eden found that there were two circumstances affecting Educational work in British Burmah that were peculiar to the Province,—viz, the existence of an ancient and wide-spread system of gratuitous primary instruction in connection with the Buddhist Monasteries, and the facilities which the free social position of women afforded for the advancement of Female Education. Indeed, the influence of these indigenous Monastic Schools and the extent of their work will be best estimated when it is said that, in 1872-73, while there were only seven Government Schools teaching about half a thousand pupils, twenty-two Missionary or Private Schools teaching a little above two thousand pupils, and over hundred and ninety two Missionary Primary Schools teaching a little above four thousand pupils, the indigeneous Monastic Schools numbered four thousand and imparted instruction to no less than half a lakh of pupils. Unfortunately, however, the character of the instruction imparted in these Monastic Schools was of a kind that was of no great value considering the requirements of an age which is eminently practical; and one of the most important questions that occupied the attention of Mr. Eden's Government—the question having first been raised by Sir Arthur Phayre—was how to bring these schools into harmony with the higher educational standard of the Province, and how to create a spirit of emulation which should have the effect of working up the Monastery teachers to the adoption of a better system of teaching.

There is one other point connected with the question of Education in British Burmah to which we would in this place invite attention. It seems to be at first sight a wonder that the Burmese who are of all people the most conservative in their habits and customs, and among whom ancient Institutions thrive in all the freshness of modern vigour, should yet manifest an inclination for English Education. Perhaps, this is only another illustration of the inevitable consequences of a superior civilization coming in contact with an inferior one. Whatever might be the cause, it is a fact that the Burmese have, of late years, begun to show a decided preference for English Education over the culture that their own indigenous Institutions can impart. Up to 1873 there were but few Government and Aided English Schools in the Province, and none of these could provide a curriculum of studies complete in itself enabling the students to finish their Education in the Province. The Burmese youth had frequently to undergo the expense of a journey to India and the troubles incident to a stay of some years in this country in order to satisfy their craving for knowledge.

The measures that Mr. Eden inaugurated with a view to remove these evils and inconveniences were mainly (1) the Organisation of an efficient Inspecting agency, (2) the Opening of the Rangoon High School, (3) the Establishment of additional Middle-Class Government Schools, (4) the Extension of Government aid to a large number of Private Schools, and above all, (5) the Improvement of the Indigenous Monastic Schools. Speaking particularly of the latter, in order not to destroy the influences for good which are undoubtedly to be found in them, as a first step, examiners have merely been appointed who visit the Monasteries and if the chief Monk agrees, examine the scholars by their own standard of teaching. In this there is no attempt to interfere with or

influence in any way the present indigenous mode of instruction ; but such boys as pass the tests which have been adopted from the usual curriculum of study in the Monasteries are rewarded, and in this way it is hoped they will gradually be stimulated to work up to a higher standard. Another measure in connection with these Monastic schools, which has been sanctioned on a small scale, is the supplying to them, on application, trained Burman teachers who are acquainted with the more advanced subjects, and who are able to teach some useful branches of education. It is hoped that by the introduction of these judicious measures, the proposal of Sir Arthur Phayre to improve the Monastic Schools has now been really solved, and, indeed, the progress which has been made since affords substantial promise of greater success. The establishment of a High School at Rangoon has, to a large extent, removed the necessity of the Burman youth undertaking a journey to India for the purpose of finishing their education. With these aids, and the organization of an efficient inspecting agency for the Province and for districts, as well as by a judicious extension of Government aid to existing private schools, British Burmah may be said to have now made a fair start as regards Education, and to no one in particular is that Province more indebted for this state of things than to Mr. Eden.

Before we conclude our notice, however, of the measures that Mr. Eden undertook for the advancement of British Burmah, we must turn our attention to his reforms affecting the Land tenures of the Province. There are in British Burmah no landed Proprietors like the Zemindars in the permanently settled Provinces of India. The holders of the land are, with very few exceptions, the cultivators themselves. There are no middle-men between them and the state to intercept the revenue, or harass them in a thousand little ways, or watch over them with a tender care from which, if free to choose, they would like to be excused.

The usual extent of these holdings averages about five acres ; and considering the cheapness of life in British Burmah, this area, under judicious cultivation, can fully meet all the requirements of an average agricultural family. Prior to the year 1872 there was in British Burmah nothing like a Department of Revenue Survey, nor has any been created since to supply a visible want. To obviate this inconvenience, however, Mr. Eden improvised in that year a committee of the most experienced Officers under his disposal, and the question of Land settlement was very carefully considered by them ; and during the years following, all settlements were carried out in accordance with their recommendations. The principles observed in conducting those settlements were that they were all placed under the supervision and control of the Revenue Authorities, the primary duty of the settlement Department being to demarcate and map the various holdings. When the character of the soil or the circumstances of its situation with regard to the neighbouring fields afforded it, a uniform rate of assessment was imposed on the area of each *kweng* or plain. These rates were fixed by the Deputy Commissioner subject to the approval of the Commissioner. The system of individual leases was followed in all cases, the joint system having been found by experience to be productive of considerable hardship and oppression. Indeed, leasing on the joint system, whether as a relic of remote ages when the idea of individual ownership could not be realized, or as a legacy of the Mahomedan times when the establishment for the collection of the public Revenue was not adequate to the task, although countenanced yet in entire Provinces of the Indian Empire, is ill-suited to the conditions of life in the present age. It was a wholesome and salutary change, therefore, that was inaugurated in British Burmah,—a change from the joint to the individual system of the farming of the public land.

Then again no dismemberment of the holdings is allowed,

and leases for portions are not granted. An allowance for *bona fide* fallow land, not exceeding one quarter of the total area of the leased holding, is also permitted. The leases are given for periods varying from 5 to 10 years, but to ensure uniformity, one term of duration only is allowed in each *Kweng*. At first, it would appear, the measurement and assessment of lands were made annually, and although the frequent recurrence of such vexatious operations produced great inconvenience, still the cultivators, for a long time, preferred that practice to the system of leases. But after the establishment of a Settlement Department, the people gradually took to periodic settlements, preferring them to the annual measurements which had formerly prevailed. The lessees, however, are allowed, before the expiry of their leases, if they so like, to abandon their holdings, on giving one year's notice, or if that has not been done, on payment of a year's revenue in advance. Due provision was also made for ensuring that the village enclosures or pasture lands were not encroached upon, and that a sufficiency of grazing ground was allotted to each village,—a provision, the benefits of which are really incalculable to an agricultural community. At the same time, the rights of the cultivators to the waste lands adjoining their leased tracts were declared not to be absolute, but only preferential, and thus was removed one fertile source of disputes the adjudication of which was, in former years, attended with considerable difficulty.

It must not be supposed, however, that the cultivators of British Burmah have no sort of right or interest in the land itself as against the state. Although holding under periodic leases, a continuous occupation of the same land for twelve years confers on them the right of occupancy, which under the Law current in that province, is a complete transferable and heritable right, subject to the payment of the rates and revenue assessed from time to time by the state. In point of

fact, the cultivators are perfectly protected by the fixity of the tenures they enjoy, and this with the very low assessment upon the land has caused a great increase of cultivation. No doubt, the extraordinary prosperity of the cultivating classes of British Burmah is all owing to the fact, that except the small proportion which goes to the Government, the profits go entirely to them and none to any description of middlemen whatever.

The exceptions we have noted in the character of the holdings are where grants of waste lands were made to Europeans or Natives of India with a view to their reclamation by the employment of capital. The question of these grants, however, was attended with considerable complications, and Mr. Eden devoted his best attention to its consideration. The result of the enquiries he instituted showed a frightful state of things. So little was the foresight or prudence or even ordinary caution manifested in the matter of making these grants, that it was found, in the district of Rangoon alone, Eighty thousand nine hundred and twenty three acres had been granted away in 66 grants of which Nine thousand five hundred and two acres only were partially reclaimed. These lands, were in the majority of cases taken up for speculative purposes, and for the extortion of petty dues from the surrounding villagers, and not for the purpose of cultivation or development of improved agricultural industry through the employment of European capital. Most of the grants, again, and especially the large ones, appeared to have been made without due consideration or enquiry, and with no regard to the rights and interests of the villagers in the neighbourhood, and there could be no doubt that the people were much harassed and oppressed, and that here and there, many of them, were actually driven from their holdings through having been forbidden by the grantees to cut firewood and thatch-grass, to graze their cattle, to burn charcoal, to gather fruits and flowers, and even to catch birds or fish, to all of which by right of



residence and prescription they were entitled, and of which they could not have been deprived, if the land remained in the possession of Government. Then again, the grants appeared to have been made to any body who had sufficient interest to get his application supported without reference to the legality of the grant, the rights of the people, or the pecuniary abilities of the individual to clear the jungle and reclaim the soil. When there was so much laxity manifested by the Officials, there could be no wonder that abuses of every description had sprung up. Lands which were *not* waste, were leased for terms of twenty, and even thirty years, free of assessment, and thus the state was deprived of its legitimate revenue to a considerable extent. In other cases, whilst many of the grantees had not spent a single rupee in improving or tilling the land, they derived yet a revenue therefrom by charging for firewood and everything else that the people of the adjoining villages might require from the lands so leased.

With a view to remedy these various abuses Mr. Eden submitted a Report to the Government of India in which he strongly recommended that the then existing rules for the sale and leasing of waste lands should be wholly cancelled. His recommendations met with approval and a survey of the existing grants was, at the same time, authorized. Some difficulty, however, was experienced at first in carrying on the work of measurement in consequence of the services of a qualified officer not being available for that duty. As the survey, however, began to progress, the areas under actual cultivation by the grantees came to be tested, and stringent measures were adopted with a view to compel them to perform their part of the engagement. Where it was found that the stipulated number of acres was not under actual cultivation, the grants were even resumed, and thus by the use of judicious means a frightful state of things was remedied, noiselessly and slowly, but as effectually as could be desired.





No sketch of the political career of Mr Eden could be complete without some account of his acts as Member of the Council of the Governor General of India. It was on the 2nd of February 1875 that Mr. Eden took his seat in the Council as an Additional Member. His long and varied experience as an executive officer in Bengal, as Envoy of the British Government to neighbouring potentates for the adjustment of political differences, and as a successful administrator of a fair and large province, fully justified his selection. In the language of the popular prints, the Government of Lord Northbrooke in honoring Mr. Eden with a call to the Supreme Legislative Council of the Empire only honored itself. It may be generally premised that during Mr Eden's connection with the Council, he was ordinarily on the side of the Government, although, when occasion required, he did not hesitate to give expression to independent opinions even if opposed to the Government. His labors, however, as a Councillor were chiefly directed towards the passing of measures for the advancement of the Province he had recently so successfully administered. From the circumstances, however, attending a Legislative Enactment, through its different stages from the moment of conception to that of full and mature birth, it is impossible to estimate what was Mr. Eden's special contribution towards the measures of which we speak. But this much can be safely predicated that Mr. Eden was the soul and guiding spirit of the Enactments affecting British Burmah that became law during his continuance in Council. And although for a detailed knowledge of the provisions of those Enactments the reader must turn to other sources than a sketch like this, still, we think, a short summary here will not be altogether out of place.

From a very long time past the Fisheries of Burmah yielded a revenue to the state not by any means inconsiderable. What was the system followed when the provinces were under Native

rule as regards the assessment and collection of this revenue does not clearly appear. But when these provinces became British, the plan adopted was the letting of these Fisheries by annual leases, and as a consequence, very frequently different persons were selected each succeeding year. Then again the selection of the lessees unfortunately, or perhaps unavoidably, as also the settling of the terms which regulated the leases themselves, was left very much in the hands of subordinate Officials. A system of bribery and corruption had accordingly sprung up which led to a very unsatisfactory state of things. Mr. Eden, however, during his administration, introduced a new system by which the Fisheries were let for periods of five years, the leases being put up to public auction and the bidders being only persons holding certificates of qualification from district officers. This qualification was based on the residence of the bidder within a certain distance of the village in the vicinity of which the fishery was situated, the object being to ensure the interests of the villagers in the working of the fishery, and to exclude men from distant parts of the country who might work it to the detriment of the villagers as a matter of speculation. This system worked remarkably well, not a single complaint having been made, and the revenue also having considerably increased. As the people themselves explained, they were, under the new system, able to pay larger sums for their leases, the money which formerly went in litigation and in bribing the petty officials and intriguing to upset leases, being paid for their leases at the auction sales. Yet although this system worked remarkably well, the reason for passing a law was obvious. The revision of the rules themselves that had taken place required a legislative confirmation. There were certain other matters also—such as the recovery of arrears from defaulters, the enforcement of the responsibility of sureties, the protection of the public rights as to the use of water, the construction of

weirs and breaches of fishery rules that required to be regulated by law.\*

A Bill embodying the necessary provisions, accordingly was introduced into the Council and Mr. Eden presented the Report of the Select Committee that had sat on it, on the 16th of February 1875. After some discussion which took place at the next sitting of the Council, the Bill was passed and became Law.

The Land Revenue system also of British Burmah needed some legislation. From what has been said of the character of the Land Tenures obtaining in that Province, it may be understood that the Land Revenue system of British Burmah is a ryotwari system, pure and simple, there being no intermediate holders between the State and the Cultivator, and, as such, resembles more nearly the system in the Bombay Presidency than in any other part of British India. The land is held to be the property of the State subject to such interests as are allowed to accrue thereon from time to time. After the first occupation of the Province, in absence of any other method, the old Native one which took the form of a tax on ploughs and a bullocks—a rough and barbaric method of assessment, had been adopted. But although some efforts were made towards the introduction of a system of rate upon land, it was not till after the annexation of Pegu in 1853 that Sir Arthur Phayre drew up a regular code for the public assessment of Revenue, on the basis of the plan first propounded by Mr. John Colvin, the Commissioner of Tenasserim. That code, subject to certain alterations and amendments that the course of time necessitated, continued till the expiry of Mr. Eden's Commissionership.

The plan of the code was exceedingly simple. The country was divided into a number of Divisions, each Division being

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\* See the Abstract of proceedings of the Governor General's Council, 1875, p. 65.

under a Revenue Commissioner ; the division was subdivided into Districts analogous to Districts under the administration of Collectors ; the District was again divided into Townships, which might be compared to the teshildarships in the North-west Provinces, and each Township was subdivided into revenue circles, each of which latter was in charge of a Thongye or collector of taxes, who was responsible for the details of the revenue assesment of the collection in the circle. The Thongye was assisted by an officer who was a volunteer, and who attended to the details of the collection. The Thongye's duty was to prepare a rent-roll showing the rental of each cultivator and the quantity of land cultivated by him ; this rent-roll was filed in the Court of the Deputy Commissioner who prepared a receipt for the rent for which each cultivator was liable ; the Thongye then went to the tenants, collected the money, and paid it into court, giving to the cultivator by whom the money was paid his receipt duly endorsed. Where there was default in payment the Thongye presented a petition to the Deputy Collector, who proceeded against the defaulter in the manner prescribed for the recovery of arrears of Revenue. It may be observed, however, that cases of default very seldom occurred.

Such then was the machinery that existed in British Burmah for the collection of the public revenue. Many of the original rules had become obsolete, and the amendments that were made from time to time to suit the altered conditions of the Province, had not the force of law. On the 25th of February, 1875, Mr. Eden introduced a Bill in the Council for the purpose of declaring the law relating to interests in land and regulating the assessment and collection of the land-revenue, as well as certain other taxes in the Province. While Chief Commissioner of British Burmah he had, indeed, suggested the preparation of a draft Bill on the subject, and he had now the satisfaction of introducing it himself into Council.

Although the general principles of the system already described were left untouched by the Bill, yet considerable alterations were proposed as regards the details of that system, chief among which might be mentioned the provision affecting those cultivators who having acquired a right of occupancy, abandoned their holdings and returned, after the lapse of several years, to claim them with all the improvements which were made during their absence by unsuspecting persons. The right to recover, under such circumstances, was proposed to be limited to twelve years after the abandonment of the land, and to be subject to the payment of compensation for improvements made by the new comer. The Bill was referred to a select committee, the report of which Mr. Eden presented on the 4th of January, 1875, and after some discussion, it became law on the 18th of January following.

The other Legislative Enactments of the session in which Mr. Eden had a hand, were the Burmah Courts Amendment Act, and the Burmah Labor contract Act. An Act had been passed in 1872 which again was amended in 1873, for the purpose of regulating the Courts of British Burmah. But there were various minute things which had not been attended to, and which created considerable difficulty in carrying that Act into operation. A Bill was introduced, accordingly, on the suggestion of the Local Authorities in 1874, for the purpose of consolidating the several measures, as well as to revive certain enactments that had been repealed. It was no small gain to the Legislature that at the time when this Bill was before the Select Committee, Mr. Eden was in it to assist its deliberations with his sound local knowledge. Apart from the difficulty, considerable as it is, always experienced in making complete arrangements for a system of Courts in consequence of a great many small points that require to be attended to, as well as of many things that are not discovered until the Courts



actually begin to work, there was a peculiar source of complication in British Burmah, from the fact of there being in that Province a multiplicity of superior Courts having different areas of jurisdiction, either geographical or legal, or of a mixed nature. Under these circumstances the local experience and sound practical knowledge which Mr. Eden brought into the Council, no doubt, proved invaluable. Indeed, the legal member in charge of the Bill acknowledged as much in presenting to the Council the final report of the select committee. The result was that the Bill was passed on the 10th of September 1875 after very little discussion. Indeed, although the complicated system of Courts in British Burmah has not been simplified to the desirable extent, still, there is reason to believe that the Act of 1875 has become the means of making things work more smoothly in British Burmah. Mr. Eden's connection with the Council ceased in the 2nd of February 1876. Towards the end of that month he went to England on furlough, to recruit a constitution which though vigorous by nature had yet been somewhat battered by the continuous pressure of active and arduous work in a climate wholly unsuited to it. He returned in December 1876, after an absence of about 10 months, as Lieutenant Governor of Bengal.

Such then is a bare out-line of the antecedents of the personage who is at this moment at the head of the administration of one of the fairest Provinces of India. The manifold proofs he has given, while in a subordinate capacity, of his sound understanding, his practical good sense, his remarkable activity, and his indomitable energy, added to his varied experience and intimate knowledge of the habits and wishes of the people amongst whom he has moved, are a subject of congratulation to the many millions over whose destinies he may be now said immediately to preside. The news of his appointment as Lieutenant Governor was received with a thrill of pleasure by almost all sections of

the community. The Natives in particular, from the highest to the lowest who had any knowledge of affairs, looked upon his appointment as a piece of individual good fortune. Bengal has been the earliest field of his labours and his glory, and as such, she expects from him much ; and no doubt, if circumstances allow, he will fulfil many of her just expectations. It is true that in the very first year of his administration he has been forced to saddle her with an additional burden in the form of a land cess, and to speak a few disagreeable truths of the character of a few of her public advocates ; but in spite of the sectional clamour that has been raised, and of the interested agitation set on foot that does not yet promise to die out, his popularity is as fresh as ever, and he is regarded still as the true hearted friend with the best men of the country he ever was. May he live to accomplish his mission to the dumb millions placed under his charge and to enjoy, greater honors yet in his native land passing eventually a ripe old age in the bosom of his family and friends encircled by happy faces and never forgetting the claims of the defenceless people over whom he once watched with tender care.

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## APPENDIX.

(FROM THE MINUTES OF EVIDENCE TAKEN BEFORE THE INDIGO  
COMMISSION IN CALCUTTA, 1860.)

W. S. SETON-KARR Esq., c. s., *President*.

*Members :*

R. Temple, Esq., c. s.  
W. F. Fergusson, Esq.

Reverend J. Sale.  
Baboo Chunder Mohun Chatterjee.

The Hon'ble *Ashley Eden*, then Magistrate, Collector, and Salt  
Agent, Cuttack.

*President.*] Q. Will you state to the Commission the districts and appointments in which you have had experience? A. I was first appointed Assistant Magistrate and Collector of Rajshahye, and, for a short time, had charge of the Sub-division of Nattore in that district; I was then appointed to the Sub-division of Aurungabad in the district of Moorshedabad; I was then employed on special duty, and then made Deputy Commissioner of the Sonthal Pergunnahs, and was next appointed to be Magistrate and Collector of Baraset. Then I officiated as Junior Secretary to the Board of Revenue, and this year I joined my appointment as Officiating Magistrate and Collector and Salt Agent of Cuttack.

Q. During the time you held these appointments, did you endeavour to mix familiarly with the people, and had you frequent opportunities of ascertaining the working of the Indigo system? A. Yes, I always endeavour to mix as much as I could with the people, to ascertain their views upon all subjects, and, in the districts of Rajshahye, Moorshedabad, and Baraset, I had ample opportunities of ascertaining both from the natives and the planters, the working of the system.

Q. Do you hold the opinion that that cultivation is the result of free agency on the part of the ryots, or that it is in a great measure compulsory? A. My opinion is, that with the exception of factories which have a large extent of *chur* lands cultivated, it is in no instance the result of free agency, but that it is always compulsory.

*Q.* Will you state to the Commission as fully as you can, the facts, proofs, or reasons which have induced you to hold this belief?—

*A.* *First*, I believe it to be unprofitable, and therefore I cannot believe that any ryot would consent to take up that cultivation, involving as it does serious pecuniary loss to himself; *secondly*, it involves an amount of harassing interference to which no free agent would subject himself; *thirdly*, from a consideration of the acts of violence to which the Planters have throughout been compelled to resort to keep up this cultivation as proved by the Criminal Records of Bengal; *fourthly*, from the admissions of the planters themselves that if the ryots were free agents, they would not cultivate Indigo; *fifthly*, the necessity under which the planters state themselves to be of spending large sums in the purchase of zemindaries and other descriptions of rights, giving them territorial influence and powers of compulsion, without which they would be unable to procure the cultivation of Indigo; *sixthly*, the statements of ryots and the people generally in the districts in which I have been; *seventhly*, the fact that, as soon as the ryots became aware of the fact that they were by law and practically free agents, they at once refused to continue the cultivation.

*Q.* Can you point to any particular records, printed or other, in support of your assertion regarding acts of violence? *A.* I beg to hand in an abstract of forty-nine serious cases of murder, homicide, riot, arson, dacoity, plunder, and kidnapping, which have occurred from the year 1830 to 1859, some of which I have taken from records which came before me during my incumbency; others from printed Nizamut reports, and all from authenticated papers. I also give a file of heinous cases connected with the cultivation of Indigo, which occurred previous to the year 1810, with a view of showing, that on the commencement of the system of private trade in the interior of the country, these acts of violence were resorted to, and in consequence of those acts, five Europeans were punished, and deported from the country; and the Government, in a Circular Order of the 20th July, 1810, considered it necessary to warn the Magistrates, to check the system of forcing the cultivation by means of advances on ryots. This last

statement I have derived from a printed Parliamentary Report of 1820, on the occasion when the Directors of the Company were charged with impeding the settlement of Europeans. The great majority of the cases in the first list filed have occurred within the last ten years.

*Q.* Could you state how many of the above cases came under your personal observation as Magistrate? *A.* Under my own actual observation I only remember two cases of those noted in the list. One was the case of kidnapping in Shanpore Factory, Bansbarria, in the Rajshahye district, in which one man was confined and died in the godown, and his body was thrown by the factory servants, and sunk by means of bags of bricks, in a *jheel*. This I know from having been Assistant to the Magistrate who tried the case, and being acquainted with the parties concerned in it. The native servants of the factory were punished by the Judge, but were released by the Nizamut who ruled, that although there was no doubt the man had met his death whilst confined in the godown, yet that there was no distinct proof of the precise means by which he met his death, and therefore they merely punished those who were engaged in concealing the body. Another case mentioned there which I myself investigated, was a case in which the servants of the Hobra Factory went with a large party of ploughmen and ploughs, and ploughed up about 125 beegahs of the ryots, cultivation, and sowed Indigo on the land. I imprisoned the factory people, and was reprimanded for leniency, and for having shown a prejudice in favour of the planters. Another case which I want to mention, which though within my own knowledge, is not contained in the list, was, that, when I went to the Aurungabad sub-division, I found that it was the custom to carry off the cattle of the ryots who would not sow indigo. It having been brought to my notice that a great deal of suffering was occasioned to the ryots, by the sale of their cattle in the previous year, I instituted enquiries, and having ascertained one of the places in which the cattle were kept, I sent out a party of police, and released from one of the out-factories about two or three hundred head of cattle which even when brought to my own house,

the ryots through fear of the planter were afraid, for several days, to come forward and claim.

*Q.* What was the distance of the Sub-division from the headquarters of the factory, and why was the Sub-division established there ? *A.* The Assistant Magistrate's residence was between fifty and one hundred yards from the factory, and the Sub-division was established partly on account of the disputes between Messrs. Lyon and White on the one part, and Mr. David Andrew on the other ; and partly on account of the number of complaints which came from that quarter, of the oppression to which the people were subjected by the servants of the factories. On joining the Sub-division, the head-quarter house was not being yet erected, and not knowing the causes which led to the selection of that site, I recommended its removal to the town of Junghypore, which was the principal *entrepôt* of trade in that part of the country. On going to Aurungabad great objections were raised by the planters, however, to the selection of a site so close to the factory, on the grounds that the Magistrate's Court would interfere with the business of the factory. It is worthy of remark that it was the factories of these two firms, which were first attacked during these disturbances. In justice, however, to the Manager, Mr. McLeod, I wish to state that I always found him personally willing, so far as was consistent with the interests of his employer, to pay attention to the complaints of the people, and, to this, may, in a great measure, be attributed the fact that the factory was not then a paying concern. Since then the cultivation has greatly been increased, and I am of opinion that it was owing to that that the late disturbances took place in that concern.

*Mr. Fergusson.] Q.* In the forty-nine cases which you ferretted out, as having occurred during the last thirty years, is it not the case that in more than half of them, Europeans have not been accused, or, if accused, have been acquitted ? *A.* There are scarcely any one of these cases, in which the European or principal manager of the concern has ever been put upon his trial, although in many of them, the Judges trying the cases have expressed strong opinions that such Europeans were themselves implicated in them ; and it is to this importunity

and freedom from responsibility that I attribute the constant recurrence of these violent outrages.

*Q.* In such instances as you have mentioned, was it not a gross dereliction of duty on the part of the Government not to prosecute the Europeans? *A.* There certainly was a failure of justice which, in my opinion, may, to a certain extent, be attributed to the strong bias which the Governor and many of the officers of Government have always displayed in favour of those engaged in this particular cultivation; this may also partly have arisen from the difficulty which exists under the present law of obtaining a conviction against Europeans, as for instance in the case in which a planter named Dick *alias* Richard Aimes, was murdered by a European planter named Jones, a French planter named Pierre Aller, and some native servants, in which the Frenchman and the natives being amenable to the courts of the country, were imprisoned for life, whilst Young, the European British subject, not being subject to the jurisdiction of the local court, was tried in Her Majesty's Supreme Court in Calcutta, and was acquitted on precisely the same evidence as was brought against the foreigners and natives who were convicted in the district court; the sentence being upheld by the Nizamut Adawlut.

*Q.* Then, you consider that in that case justice was obtained in the Mofussil Courts and denied in the Supreme Court? *A.* I consider that the Judges of the Court of the Nizamut Adawlut are fully as competent to come to a decision on the evidence before them, as a Calcutta Petty Jury. I shall therefore consider that in this instance a failure of justice occurred in the Supreme Court.

*President.] Q.* If I tell you, that I was in the Supreme Court during the whole of that trial and with a strong feeling against the prisoner, and that I, and most other gentlemen in Calcutta, considered it impossible to find him guilty on the evidence, would it alter your opinion in any manner? *A.* No, as with those facts before them, and commenting on those facts, the Sudder Court subsequently convicted the remainder of that party as accessories to the murder on that evidence; the pre-



vious acquittal in the Supreme Court, and the distrust thrown upon the evidence having been urged by the defendant's counsel, and overruled. Moreover, if the murder was not committed, where is Dick alias Richard Aimes, who has never appeared since?

*Mr. Fergusson.*] *Q.* In the other cases contained in your list in which no remarks are made by the Judges, is it merely your opinion that the Europeans among them were guilty parties, and should have been punished? *A.* Having had very little conversation with any other parties on the merits of those cases, I am not prepared to state whether any other person has formed the same opinion, but in my own certainty, the European who organized an attack, who conceals the offence, and in one instance even allowed one of his servants who had murdered a ryot, to be concealed, whilst a third party was sentenced capitally, should be held liable to the same punishment as a native of this country would have in all probability been subjected to, if he committed the same offence. I allude to the case of Mr. Patrick Smith, of Dulleemulla Factory, in which a servant of his murdered a chowkidar who endeavoured to resist the carrying off of ryots who refused to take advances for the cultivation of Indigo. The man admitted the murder to Mr. Smith the same day. The actual murderer in that case was not apprehended, but another servant of the name of Ram Singh was capitally sentenced for that crime. Some months subsequently a second murder was committed by the same man, and a rumour spread that this man was really the murderer in the former case. On the representation of Mr. Hills, Dr. Archer, and others, Mr. Smith then appeared before the Sudder Court, and in consequence of the statement there made, the sentence of Ram Singh was commuted and the real culprit was apprehended.

*Q.* Then in this instance, did not the Sessions Judge and the Sudder Nizamut convict and sentence to be hung the wrong man? *A.* They convicted the accomplice who was present at the time, but who had not actually struck the fatal blow, instead of the principal who was concealed in the factory, where he was subsequently found by the Magistrate. This arose from the fact that the two men were up-coun-

try lattials, not natives of Bengal, in consequence of which some confusion occurred in the identification of the principal and the accomplice by ignorant Bengali ryots. If the European planter had come forward, as disapproving of the crime, as he was bound to do before the Magistrate or the Sessions, this difficulty of identification would not have arisen. The conviction of the Courts was according to the evidence before them.

*President.*] *Q.* Is it not a very unusual thing for additional or supplementary evidence to be either offered or recieved before the Sudder Nizamut, such Court deciding only from the records? *A.* I never heard of a similar course of proceeding; I believe the evidence to have been received at the instance of the two Messrs. Trevor, one of whom was Legal Remembrancer at the time.

*Mr. Fergusson.*] *Q.* In the course of enquiries, have you not come across similar cases in the Opium and Salt Departments? *A.* No; I have not perused any records, nor have I any personal knowledge of such cases.

*Q.* Have you not heard of similar cases in one of the Salt Agencies in the Midnapore Zillah? *A.* I have heard that some heinous offences occurred in some way connected with the Salt Department at Hidgelee last year. In what way these cases arose, or in what way they were connected with the Salt Department, I have no knowledge whatever; I believe them to have arisen from disputes between the preventive and manufacturing branches of the Salt Department; but my knowledge is entirely derived from general rumours. In the Opium Department, I have never heard of any cases whatever.

*Q.* Do not any case similar to those in your list arise from disputes between rival native zemindars respecting lands, hauts, &c.? *A.* Frequent affrays and kidnapping arise from such sources of dispute, but of late years they have nearly ceased in that part of the country of which I have special knowledge, and I believe generally throughout Bengal; they, however, more frequently take the form of disputes between two strong contending parties well able to cope with one another, and do not, as in the Indigo cases, show the strong

continually preying on the weak, and disputes arising out of a false system of trade.

*Q.* Have you any reason to believe that the system carried on in the silk trade was different as regards ryots from that of the Indigo business? *A.* I have no knowledge on the subject.

*Q.* Have the Indigo cases now ceased in Bengal together with the cessation of the same zemindary affrays, or do the former continue in any district while the latter have ceased? *A.* I believe the establishment of the numerous Sub-divisions throughout Bengal has had the effect of decreasing violent open outrages of every description, such as affrays; but the seizing of ryots and the connement within the factory walls, has, in my opinion, increased as violent overt acts have decreased. The greatest increase, however, is in cases unconnected with Indigo on account of the fear which the zemindars have of these Sub-divisions, and the great facility which is afforded to the European planters of opposing the ryots in any way which does not involve any great publicity, such as would necessarily attract the attention of the higher authorities.

*Q.* Are kidnapping and imprisonment still carried on by zemindars as well as planters? *A.* Yes, I believe they are in many instances; but since the passing of Act X of 1859, I believe that they have greatly decreased.

*Q.* Then, has the increase of these offences to which you alluded solely occurred in Indigo Concerns? *A.* Whether it is that there is an actual increase, or whether it is that the establishment of Sub-divisions have brought them to light, or whether it is that the punishment of several planters for this offence has given the ryots greater confidence to speak more openly of these things, I am not sure; but I have certainly heard more of such cases within the last few years than before, and I believe that it may be attributed to the increased reluctance of the ryots to sow without such compulsion, and also to the check which has been given to such outrages.

*Q.* In case 18 you remark that the Europeans for whose benefit the crime was committed were not punished. Do you ground that





opinion upon the observations of the Judge or upon what you read of the case? A. To the best of my recollection, the printed report of the case will show that the Judge, Mr. G. C. Cheap, remarked that the case was one in which great blame attached to Mr. Tripp, and said it was cause of great regret to him to put on record the commission of such violent outrages by Europeans, but that he was glad to state that Mr. Kenny, the Proprietor of the concern, was on his way to England, and was not therefore responsible.

Q. In case 29 you remark that Mr. French was in the jail in which these men were confined at the time. Do you mean by your remarks on that case that Mr. French ought to have been brought to trial? A. Judging from the evidence, as it appears in the printed Report of the Sudder Court, I should, if I had been the Magistrate before whom that case came, have committed Mr. French to take his trial, as it appears that he compromised the case by giving compensation to the owner of the boat.

Q. In case 39 you observe the servants were imprisoned, but Mr. W. Collis, who was admitted by the Judge to give the order, was not put on trial, by virtue of his descent from European stock; on what is that remark founded? A. It is my strong opinion derived from a perusal of the case. For the Judge stated that the order was given by Mr. W. Collis himself, and I can conceive no other possible reason, why, if the Judge considered Mr. Collis to have been guilty, he should not have taken steps to bring him to justice, and, judging from the practice of the courts, I feel convinced that had he been a native his trial would have been directed.

Q. On the whole, considering the number of districts and the number of Indigo concerns and of Planters engaged, also the period of time over which these cases extend—considering also the state of society in the Mofussil, do you consider these serious cases frequent, rare, or otherwise? A. These cases do not in *any way* represent the total amount of such outrages that have been committed during the period embraced. The greater part of the selected cases, of which an abstract has been given, are only those of so serious a

nature as necessitated a reference to the Sudder Court either on account of the severity of the penalty involved, or in appeal on points of law. My own opinion is that not one tithe of the offences actually committed ever come before any court at all ; of those which are actually brought up by the Police, very many are disposed of by the Magistrate himself ; and others of a more serious nature are decided by the Sessions Court without reference to the Nizamut. I have not had the means at my disposal to enable me to lay before the Committee any memorandum of such cases. The improved administration of the Police arising from the increase of Subdivisions has decreased the number of violent crimes of late years, but it has, as a consequence, checked the cultivation of Indigo.

*Q. Mr. Temple.]* But, on the whole, do you consider that Planters rarely resort to serious violence or frequently ; and do you believe that these deeds of violence are committed by a few Planters or by the majority, or what ? *A.* I believe that deeds of the violence of those noted in the abstract filed, are not frequent, but still they are such, as to keep up and perpetuate a feeling of terrorism without which, in my opinion, the cultivation of Indigo could not be carried on for one day. Any act of great violence, committed in any district, such for instance, as the attack on the village of Haut-dayal, in the district of Rajshahye, in the concern of Messrs. J. and R. Watson and Co, in which three villagers were gutted, three cultivators killed, and six wounded, would be enough to strike terror into the hearts of the ryots in that part of the country for many years to come ; and it is only when the ryots have forgotten such acts as these, that any fresh violence of this sort is necessary. I believe that there are many Planters who do all in their power to avoid having recourse to such expedients, but it will be found that one or two outrages of the most serious description have occurred within the remembrance of men in every district and with every concern.

*Q.* Have you known many Planters, who would not under any circumstances themselves order or authorize such proceedings ? And do you know, whether such things could or could not be done by the

servant without the authority of the master? *A.* I know many Planters who would neither authorize nor order such proceedings, but the system is such that they are frequently involved in such cases against their will; that the system which they pursue, and the class of servants that they employ, force them to this; the worst that can be said of such men is, that when they are so involved, they do not come forward as they should do, and publicly disown the acts of their servants and render assistance in bringing them to justice.

*Q.* You have mentioned generally that European planters are, practically, never punished for acts of violence. Is it that prosecutions instituted by the Mofussil Authorities fail in the Supreme Court, or is it that prosecution is not attempted? And if the latter be the cause, what is the reason? *A.* Prosecutions are scarcely ever attempted. The reason of this is partly because Mofussil Magistrates know the difficulty of procuring a conviction in the Supreme Court, partly from great unwillingness among prosecutors and witnesses to subject themselves to the liability to come to Calcutta to attend the Supreme Court, and to a great extent to the bias in favour of the planters, which has been too frequently displayed by men in all positions from the highest Officers of the Government down to the lowest.

*Q.* As an Officer of Mofussil experience, what do you consider to be practically the difficulties of prosecuting the Planters before the Supreme Court? Or how do these difficulties arise? *A.* It never fell to my lot to have to commit any Planter, but judging from my experience as a Justice of the Peace, in obtaining convictions against Europeans, I consider that very great practical difficulties exist. For instance, I have committed Europeans to the Supreme Court, the bill has been thrown out by the Grand Jury under circumstances which led the Government to direct a re-committal on the same evidence. The evidence was described by the Advocate General as being of the most clear and conclusive description. The parties were re-committed on precisely the same evidence, and were convicted and sentenced. In another case, I committed an Ocerffi for trial for



manslaughter. The Officer admitted before me having committed the assault which led to the man's death. The medical evidence showed that although the man was in bad health, yet his death had been hastened by the injuries he had received. The Grand Jury threw out the bill; and it is cases like these that dishearten Mofussil Magistrates from committing Europeans to the Supreme Court.

Q. But as a Magistrate and Justice of the Peace, would you not commit an offender, if you believed him guilty on the evidence, irrespectively as to your opinion as to what might be the view taken by a Calcutta Petty Jury or Grand Jury? A. As a Judicial Officer, if the evidence was very clear in any case before me, I should commit; but, as an Executive Officer, I should hesitate to take up many cases against Europeans, which under the circumstances I should consider it incumbent on me to proceed with.

Q. Mr. Fergusson.] In this list I see eight names of persons whom I personally know to be foreigners, and parties liable to the Mofussil Court; can you account for their not being proceeded against, if there were any good grounds for doing so? A. Of the evidence against the parties particularly alluded to, in the cases you have mentioned, I am not prepared to speak without a reference to the cases; but the exemption to which you allude was probably explained in my previous answer, in which I noticed the great bias which has always existed in favour of Planters from the very beginning.

Q. Then do you consider that the Government Officials have sacrificed justice to favour the planters? A. I consider that it has frequently been the case, and I have stated so in Official reports. I will go further and say, that as a young Assistant, I confess I have favoured my own countrymen in several instances.

Q. Baboo C. M. Chatterjee.] Do you believe that if the European planters in the Mofussil were subject to equal laws and same punishment with the natives of the country, they would be deterred from committing the oppressions you have alluded to? A. I believe that with the knowledge that they were subject to the Mofussil Courts,

and did not enjoy the perfect practical impunity which they now possess, the system of force which is known to all to have existed so long, would not have been continued by the planters.

*Q.* Is it not the case that if a Native gentleman, and an European gentleman—a British subject—were found guilty of a similar offence before a Mofussil Magistrate, the former might be sentenced to imprisonment, whereas the latter might get off by paying a fine to the extent of 500 Rupees? *A.* If an English gentleman and a Native gentleman were placed side by side in the same case, I hardly think that any Magistrate could punish them in a different manner; but, in similar but separate cases, I think that it would frequently happen that a Native gentleman would be imprisoned, whereas the European would only be fined, because the Magistrate has not, except in particular cases, the power of imprisoning an European.

*Q.* During the time the Indigo Planters were vested with Magisterial powers, did not some of them abuse their power, within your own knowledge, to serve their own interests? *A.* There were no Honorary Magistrates in my district.

*Q.* *Mr. Fergusson.*] In the present state of the Mofussil Courts and with the present Judges who preside in them, would you like to see any European friend tried in them? *A.* I think that if the Courts are good enough for the Natives, they are good enough for Europeans. If they are not good enough for Natives, they are not fit to have any jurisdiction at all over any one. As far as I myself am concerned, I would sooner be tried, if innocent, in the local Sessions Court, with an appeal to the Nizamut, than in the Supreme Court. If guilty, I would prefer the Supreme Court and a Calcutta Jury.

*Q.* *President.*] Several witnesses have either stated or admitted that Indigo cultivation is unprofitable and unpopular with the ryots, and you yourself have declared your belief that the cultivation for years has been compulsory; how do you reconcile those admissions, and your belief with the fact that the system has gone on for years without any change? *A.* For many reasons. *First*, that the people

of Bengal are naturally patient in enduring oppressions. Years of tyranny and oppression have taught them to bear every wrong without resistance. Their feelings have taken the form of sullen morose hate, rather than active opposition. These pent-up feelings have now for the first time found a vent. *Secondly*, the Police stations have, until the last four or five years, been out of their reach. The Planter, having the rights of a Zemindar, has reigned over them with the powers of a despot. They dared not leave their homes to go and complain at a distant Station ; if they did so, they ran the risk of returning to find their cattle carried off, or a relative illegally confined. Even in cases in which, on these complaints, the Police were deputed to hold an investigation, sometimes through fear of the Planter, sometimes corrupted by his money, and nearly always influenced by some means or other, they reported the case against the ryot. The ryot would then be worse off than before, and his only hope of peace lay in cultivating Indigo without opposition, but not as a free agent. *Thirdly*, Bengalis have not usually that power of conjoint action which would enable them with any prospect of success to form a combination against the planters. *Fourthly*, ryots, from whatever causes it may have arisen, have certainly all along believed that Government and Government Officials were interested in the cultivation of Indigo ; and that they were so strongly prejudiced in favour of the Planter that it was useless to complain. The ryots were unable to understand, how a man living in terms of the greatest intimacy and in daily communication with the Planter, was capable of deciding cases justly—cases in which the interests of that Planter were concerned. Whatever may be the impartiality of the individual Magistrate, it would be difficult to persuade an uneducated Native that intimacy of this description would not bias a Magistrate in his Official acts. This intimacy has very often, it may be without the knowledge of the Planter, been made use of by the Factory servants as a means to accomplish their wishes. Again, facilities for complaint have been afforded to the Planters by the higher Authorities from which the ryots are altogether excluded ; and, I believe it to be the case that this

privilege has been made use of to influence such higher Authorities against such of the local Authorities as may have shown a disposition to do justice between man and man. And there are cases, in which the removal of Officials has been attributed by the ryots to the influence brought to bear by those in the interests of the Planters against such Officials. *Fifthly*, I believe that the pressure of Indigo cultivation has never been so severely felt as during the present time, for although the ryots have always had to sacrifice a portion of their land and labour, the loss has never been so severe as at present when the value of that land and labour has greatly increased. Formerly these lands gave them enough to live upon and pay their rents, but as there was no market for surplus produce, and but little stimulus to accumulate, it was not worth their while to grow any greater amount of produce beyond what was necessary for their own consumption.

*Q.* Can you mention any cases within your knowledge, in which Officials were either interfered with or censured or removed for alleged bias against Planters? *A.* Moulvee Abdool Latief was removed from Kalaroa for giving an order protecting the ryots against the forcible entry of the Planter. My predecessor at Baraset was complained of for saying that it was optional for ryots to sow Indigo or not, and was censured by the late Lieutenant Governor. Of this last case I have no knowledge except what was derived from the Planters themselves, and from the people who still believe him to have been removed for protecting them. In my own case, I was, on private representations made by Planters, reprimanded and interfered with by the Commissioner. Representations were made to the Government for my removal, on the ground that I had told the ryots that the cultivation of Indigo was optional. And three petitions were presented by parties of influence in Calcutta, within a few months, demanding my removal on this account, and I had considerable difficulty in defending my own position and upholding my independence as a Magistrate.

*Q.* Mr. Fergusson,] Are you aware that the cultivation of

Indigo in the district of Nuddea does not occupy more than five per cent. of its area, and if so, how can it be so severe a pressure on the ryots, as you have stated it to be? *A.* Admitting this calculation to be correct, you must first deduct from that area one-third of the whole as fallow, wood, waste, village, and unculturable lands. You must next deduct one-third of this for those portions of the district in which Indigo cultivation is not carried on, and with which the Planter has no connection. From the balance you must deduct a very large proportion of wet land suitable only for the cultivation of late rice; and then if you take the remainder, which is the most valuable land in the whole of the district and the most productive, you will find that the; Planters have thrown out of profitable cultivation a proportion of the best land, which must press with very great severity on those engaged in the cultivation of profitable crops in the part of the district where factories are situated.

*Q.* But the seed crops are cold weather crops, which can be grown equally with Indigo and early rice; and do you think that while grain crops such as rice can be taken continually off the same land, it would not be better to vary such crops occasionally with Indigo? *A.* Provided that Indigo were as profitable as every other crop, I can understand that an occasional crop of that plant might be beneficial to the soil; but so long as it is a dead loss to the ryot, even the inferior rice crop is more remunerative to him. But, there are other crops, such as *jute, sugar-cane, chillies, ginger, turmeric, tobacco*, which afford the ryot a still greater profit than rice; but even supposing that this was not the case, the land is the land of the ryots, *they* are the best judges of their own interests, and so long as *they* object to the cultivation of Indigo for whatever reason, I can conceive no principle upon which it can be argued that it is justifiable for a third party to come in and insist upon a ryot sowing that to which he objects, although it may be in his opinion beneficial to the ryot.

*Q.* But if a ryot has made a contract and has received money to sow Indigo, upon what principle has he a right to decline to do so? *A.*

If a ryot, being a free agent and acting without force, either actual or moral, voluntarily enters into a contract for the cultivation of any crop, he is of course bound to fulfil it; but the result of my experience and my enquiries on the subject convince me that in scarcely any instance does a ryot, being a free agent, enter into contracts or receive advances for the cultivation of Indigo which is admitted by many competent authorities to involve a pecuniary loss upon him. One of the main elements of the contract, to make it legal, must be that it has voluntarily been entered into by both parties. My own opinion is, that in no instances within the last six years at least, have ryots entered into legal contracts for the cultivation of this crop.

*Q. President.]* But will you state the precise nature of your experience as to how these contracts are first entered into? *A.* From my own experience derived from conversations with both ryots and Planters, and from the examination of the factory books, and from the inspection of the contracts themselves, and from constant enquiries and investigations for the last four years into the matter, I still continue of opinion that the description of the mode as to how contracts are entered into, given in my letter No. 500, dated 19th June 1858, page 220 of the Blue Book, is a correct description of the manner in which advances are given and received.

*Q. Mr. Fergusson.]* Do you know that the land in the District of Baraset to which your experience and enquiries appear to have been limited is unsuited for the cultivation of Indigo, and that it does not produce one-half of the plant which the lands in Kishnaghur and Jessore do? *A.* I have always understood that the lands at Baraset were amongst the finest lands in Bengal, and as the District borders both on Jessore and Kishnaghur, much of the land is precisely of the same description as that of those Districts.

*Q.* Do you not think that the occasional intimacy between the Planters and Officials is balanced by a similar intimacy between the Ryots and Darogah and the Native Officials of the District? *A.* My own experience leads me to believe that fear of the Planter's influ-

ence, and fear of the representations he may make to their Official Superiors, render the Police very apt to side with the Planter's people when the opposite party were poor Natives. My great difficulty has always been to get the Police to act boldly and straightforwardly in cases of this sort. I have frequently had to find fault with the Police for displaying an unjustifiable bias in favour of the Planter.

*Q. President.]* Have you reason to believe that any portion of that bias is due to illegal or improper influence, such as the payment of money, and if so, on what reasons do you ground that belief? *A.* It has frequently been stated to me by Planters, that unless they had recourse to these means, they would find it difficult to carry on their business. I generally believed that as a rule, the police have hitherto been so corrupt that there is reason to suspect that in very many cases they have been so influenced. Of late years, since constant enquiries have been made into the matter, and an educated and higher class of Natives have been employed, and since the salary has been increased, there has been a most decided improvement in this respect.

*Q.* Then, it is your decided opinion that so far from the Magistrates having obstructed or impeded Indigo cultivation, they have not afforded to the ryot the support and protection he might fairly expect? *A.* I think that if the law had been strictly administered by the Magistrates, and if they had at their disposal a staff of well qualified Officers sufficient for them to carry out the law in all cases, the present system of cultivation could not have been continued as it has done. I believe that many Magistrates have been deterred from doing their duty in this respect, from a sensitive desire to avoid the ignominious reproach which has always been raised against them of being jealous of the non-official classes; and in avoiding this reproach they have allowed themselves to display a bias in favour of the Planters, which has in many cases led to a failure of justice.

*Q. Mr. Sale.]* You mention as one reason, why the ryots, though unwilling, have been cultivating so long, that the Police Courts were out of their reach. Did you refer to the distance the

ryots have to go to get justice, or to the difficulties arising out of the arrangements of the Courts, or of the character of the *amla*, or to the difficulty arising out of the ryots' fear of the Planter when he is also a Zemindar ? A. I allude to the fact that in many Districts ryots have to go some thirty or forty miles to the nearest Magistrate ; and that, through fear of the Planter, who is a Zemindar, he dares not leave his house for this purpose. I also alluded to the fact, that in one District with which I was acquainted, the power of one firm is so great, that the ryots used to come across in my District to complain to me, because they dared not go through their own District to reach the station at which their own Magistrate resided.

Q. Do you not think that a simple mode of administering justice, such as that adopted in the Cutcheries of the Planters, would be much more effective than the arrangements at present existing in most of the Mofussil Courts ? A. I have no personal knowledge of the system pursued in the Planter's cutcherry, but I am not prepared to recommend that the system pursued in those courts, as I understand them to be, should be introduced into the constituted Courts of the country. I have no doubt that in many cases a Planter may dispose of cases with great justice when his interests are not antagonistic to those of the people themselves, but everything in such a Court must depend entirely upon the temper and ability of the individual presiding.

Q. Is it not often ruin to a ryot to leave his home, say, at the sowing season, to make a complaint at any of the Mofussil Courts ? A. Until late years, it was doubtless impossible for ryots to leave their cultivation to go to a distant Court ; but of late years, many District Sub-divisional Courts have been brought within a day's journey to every ryot in the District.

Q. You mentioned in a previous answer that Planters have admitted to you that the ryots are not free agents ; does this statement refer to any constraint put upon them, or does it refer to any relation which they supposed themselves to have as their Zemindars ?



A. The Planters have undoubtedly a very mistaken notion of the right of interference with the ryot's crops and cultivation, which they consider themselves to possess as Zemindars. They doubtless referred to force and constraint, which in their position as Zemindars, they were able to exercise towards their ryots with practical impunity.

Q. Mr. Fergusson.] Have the Native Zemindars and *Mahajans* equally mistaken notions of the rights of cultivation? A. I never heard of a Zemindar insisting upon a ryot sowing any particular crop, unless that Zemindar was also an Indigo Planter; neither have I ever heard of a *Mahajan* exercising any interference in the cultivation of the crop of a ryot indebted to him. I never heard from *Mahajans* that they found it necessary to exercise any interference whatever with the ryots; and I know cases in which ryots, who having grown *Jute* under advances from *Mahajans* living at the distance of thirty or forty miles away, have scrupulously fulfilled their engagements with the *Mahajans*, who had no *zemindary* rights in the District, and no power in any way of interfering with the cultivation. But I know of *Zemindars* collecting a cess on particular descriptions of crops, which is of course illegal; but this interference on the part of the *Zemindar* is not general, and does not extend to interference with the cultivation of crops.

Q. President.] Practically, do not *gantidars*, *jotedars*, and other tenant-proprietors select their own crops, vary them, fence their own gardens, and plant them and reap the produce without any dictation or any interference on the part of the Zemindar? A. Always, within my knowledge. •

Q. Is there not a great increase of date and sugar-cane cultivation in parts of Baraset, and if so, to whom do you attribute that cultivation? A. In the eastern portion of the District there is [an extensive cultivation of date, which is entirely grown by the more prosperous ryots, who have large *jotes*. And I also know several instances in which Zemindars themselves purchased the ryots' lands, and made use of their own waste lands, by turning them into date gardens.]

*Q. Baboo C. M. Chatterjee.*] Do you know that a kind of leather strap is kept in the factories for beating ryots? *A.* I have heard from ryots that there is a stick with a leather attached to it, called "Sham Chand" or "Ram Kant," but this I merely heard from the Kishnaghur ryots.

*Q. Mr. Fergusson.*] Have you never heard that this was originally invented and used in the Hon'ble Company's Silk Filatures? *A.* I have never known if this was the case, but I quite believe that such may have been the case in those days.

Commission adjourned at 6 P. M.

*Monday, 23rd July, 1860.*

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PRESENT.

W. S. Seton-Karr, Esq., c. s, *President.*

*Members :*

W. F. Fergusson, Esq.

Reverend J. Sale.

Baboo Chunder Mohun Chatterjee.

The Hon'ble Ashley Eden's examination continued.

*Q. President]* You had occasion to enter into correspondence with the Commissioner regarding the cultivation of Indigo, and to issue certain instructions to the Police in 1859, and you are well aware of the refusal to cultivate Indigo on the part of the ryots during the present season; to what causes mainly do you attribute that refusal? *A.* The refusal to cultivate Indigo is in Baraset nothing new. So long ago as the year 1855, a former Magistrate, Mr Mangles, having expressed an opinion (in certain cases connected with the cultivation of Indigo) that the ryots could not legally be compelled to take advances for the cultivation of that crop against their wishes, the result was, that the ryots having discovered this, at once threw up the cultivation, and the outturn of the concern

for that year was only sixty-five maunds. Complaints were made to Government by gentlemen at Calcutta connected with the Indigo trade, and it was stated by themselves, that Mr. Mangles was reprimanded for having told the ryots that the cultivation was optional ; whether this reprimand was actually administered or not, I cannot say ; but the result was, that on Mr. Mangles' leaving the District immediately afterwards, the ryots understood him to have been removed for affording them protection, and they again were afraid to resist the endeavours made by the Planters to force this cultivation upon them, and sowed Indigo that year to a small extent. The subsequent year being the year of the Mutiny, and there being strong reasons to believe that the Natives of Baraset were impressed with a great dislike of planting, and as they had on a previous occasion (about 1832) actually attacked the factories under the leadership of Tito Mir, the Planters on this occasion were afraid of similar attacks, and applied for and obtained a special guard, for the protection of their lives and property ; the consequence of which was, that the ryots that year being afraid of being charged with intimidating and opposing the Planter, sowed a moderate quantity of Indigo. In a subsequent year, however, a question having arisen as to the right of the Planter on an *ex parte* allegation that ryots were under advances to him, to enter himself upon the lands of such ryots and force the cultivation of Indigo, I expressed a strong opinion that the land being the property of the ryots and not of the Planters, the Planters had no right whatever on any such plea to take possession of the ryot's lands, and that the Magistrates were bound, in case of such trespass, to protect the ryots in their possession. On that occasion my views were not upheld by the Commissioner, and I was directed to induce the ryots of Mr. Larmour to sow Indigo. I went to the spot and the ryots sowed. Next year I was determined, to bring the question to a practical issue, and a similar question having arisen, I again gave the same order to my subordinates to afford protection to the ryots in the event of the Planter's servants entering violently into their lands to sow there a crop

which the ryots objected to. My orders were again upset by the Commissioner (Mr. Larmour's case of 1858-59,) and I was reprimanded. I remonstrated, and the result was the correspondence in the Blue Book in which my order was finally upheld. Early in 1859, Mr. Prestwich and Mr. Warner having complained to me that their ryots refused to take advances and to settle the accounts for the past year, and having requested me to use my influence to make them take advances, I stated my inability to do so, and told them the only way of inducing their ryots to sow or to enter into the cultivation, would be by offering them a remunerative price. Instead of doing this, they complained to the Lieutenant Governor, Mr. Halliday, and the result was an interview as described in the Lieutenant Governor's minute, page 151 of the Blue Book. After this I drew up a vernacular paper, or *rubakari*, which is given in page 156 of the Blue Book, and the ryots then learnt that it really was optional for them to enter into contracts or to refuse to do so. The fact that it was optional, spread generally throughout the District, and ryots came from Jessore and Kishnagur and took authenticated copies of my order, knowing that the effect of the intimation would be to spread gradually throughout Bengal, a knowledge of the fact that it was optional with ryots to enter into the contracts or not, as he thought fit. I apprehended that the result of such knowledge would be to put a stop to the forced system then existing. I thought it necessary to obtain the sanction of the Commissioner previously to granting such copies. The *rubakari* was issued on the 20th February 1859. In the following season the question of the right of the Planter was again discussed between myself and the Commissioner, and the final orders of the Government alluded to above were received, laying down a distinct principle on this point; this was subsequent to the issue of that *rubakari*. Copies of the Government Order were forwarded to the Sub-divisions for the information and guidance of the Deputy Magistrates in charge of those Sub-divisions, and by one of them a Perwannah was issued, *viz.*: by the Deputy Magistrate of Kalaroa, which is said by the Planters and their advocates to have been the

cause of the ryots' refusal to sow. That Perwannah was not issued with my knowledge, as explained in my letter to Government. A natural consequence of the ryots finding that they were really free agents, and that for the first time for a long period of years there was an inclination displayed by the Authorities to afford them that practical protection, which had all along been theirs by law and theory, was, that they refused to sow, and appealed to the Authorities for protection from force. I do not believe that, as has been stated by the Planters and others, the ryots ever believed that it was the wish of Government that they should not sow Indigo; but I believe simply that they believed it to be optional. I may add, that I long foresaw that such a crisis was at hand, and in the late great rise in the price of all commodities and the labour market, nothing short of military force could have for any period compelled the ryots to continue the cultivation of the crop, which though always distasteful to them, had latterly involved a pecuniary loss which they were unable to bear.

Q. Then, are we to understand that in your opinion, the compulsory character of the cultivation is the primary and original cause of the dislike; the late rise in prices, the additional cause; and the sudden knowledge that entering into contracts was purely optional with the ryots, was the approximate cause that set the whole thing in motion? A. Yes, that is decidedly my opinion.

Q. Did you ever state to any Planters that you foresaw the late crisis? A. Yes, I did to Messrs. Furlong, Henry Deverell, Prestwich, and all with whom I had any conversation on the subject.

Q. Were there any peculiarities in the Baraset District which might make the ryots more keenly alive to their own rights, compared to the ryots of other Districts, say, for instance, Pubna and Moorshedabad, or even Jessere and Kishnaghur? A. Baraset is a suburban district. The ryots are the most intelligent set of ryots that I have ever met with in any District. They have constant communication with the Merchants in Calcutta, and know all that is going on in the neighbourhood; being *shars-wallas* (or *Ferasces*).

they have a complete organization, and frequently meet together to interchange ideas. On account of the great influx of troops into the large military stations of Dum-Dum and Barrackpore, as well as in Calcutta, the value of the produce of their lands has greatly increased; a considerable manufacturing population has even sprung up in the district, for the purpose of supplying the demand for *gunny*, and irrespective therefore of the increased demand for export crops, they have also had to supply a surplus for the population labouring for wages in the manufacture of *gunny*, and on the rail-road which is being made in the district. It should be recollected that every two maunds of rice or seed exported from this country, requires a gunny bag, and they have therefore had a ready sale for the *jute* employed in making these bags. The rise in the labour and produce market has of course made it still more distasteful to the ryots to have to give up a portion of their land to unprofitable crops. In addition to this, Baraset, which is a small district, has three Sub divisional Magistrate's Offices, in addition to the Sudder Magistrate's Office; it has therefore been easy to control the police, and the people have had to go but a short distance to get a hearing for their complaints. I believe that the manufacture of Indigo has never paid the Planter in Baraset for the last eight or nine years.

*Q. Mr. Fergusson.*] Do you not perceive much difference between the language of your *rubakari* of February 1859, where you say the ryots are free to take advances, and your letter of the 17th August, in which you say that the ryots had liberty to sow any crop they liked, and do you not think it certain that the perwannah of Baboo Hemchunder Ker embodying terms of your letter, would be interpreted by the ryots as to its being optional for them to evade their contracts? *A.* My letter and my *rubakari* were on two entirely different subjects, and merely entered into the questions specially before me in each case. The *rubakari* had reference to the compulsory attendance of ryots at the factory to receive advances, and to be made to enter into contracts. The letter, however, merely gave cover to Government Order laying down the principle upon

which a Magistrate should act in the event of a Planter attempting to enter forcibly on the lands of ryots, on the allegation that the ryot was under advances to sow. There could not therefore be any great similarity between two letters relating to two such different subjects. I deny that the perwannah does embody the remarks contained in my letter, and I further am decidedly of opinion, from information derived from competent persons, official and non-official, that that perwannah had nothing whatever to do with the present position of the ryots, except so far as it further confirm them in the idea that they were at length about to receive protection from oppression, and I am satisfied that if that perwannah had never been written, the same reluctance to sow would have shown itself.

*Q.* How do you account for the Baraset Concern having sown a large portion of their cultivation this season, and subsequent to your leaving the district? *A.* It is not for me to say how the ryots have been induced to do that which they all along objected to do, but I believe it to have arisen, partly from a rumour that was spread, that I had been under the displeasure of the Government for protecting the ryots, and had been transported out of Bengal into Orissa; and partly from the fact, that the new manager, Mr. Larmour, gained over many of the influential ryots, whom he had previously denounced as turbulent persons, by making them *dewans*, *niabs*, and *gomashtas* of the factories. These men, although they do not cultivate themselves, have sufficient influence over their own *Koorfa* ryots to make them sow, and after all, the sowings only amount, I believe to 5,641 beegahs and 6 cottahs, of which 819 beegahs and 11 cottahs belong to a new Factory not in the district.

*Q.* But does not the fact of 5,000 beegahs having been sown, nullify your previous statements as to the determination of the ryots not to sow, as to their superior intelligence, and as to their advantage in proximity to Calcutta, and the possession of a greater proportion of subdivisions? *A.* I believe that nearly two-thirds of this amount has been sown *nij-abad* by the Planter who has hired these lands for this year at a high rate. I believe further, that the

Indigo cultivation enforcement law has created a panic throughout the country, and that the ryots have this year thought it better to prevent any collision with the factory, with this assurance that by next year they will receive full protection in their rights. I do not believe further, that the *Koorfa* (or dependant ryots) are free agents in this matter.

*Q.* Do you consider that the same reasons account for Mr. Larmour's having been able to sow all his Mulnath lands within the Baraset district? *A.* I do not know that the Mulnath lands have been sown, and if so, I do not know under what circumstances they have been sown.

*Q.* Baboo *C. M. Chatterjee.*] Are you aware that some of the Magistrates issued perwannahs to the Darogahs, enjoining them to allow the Planters to sow any lands that they wished, and to prevent any ryots from objecting to the Planters sowing their land? *A.* I have heard that since I have been in Calcutta, but have no personal knowledge of it.

*Q.* Mr. *Sal.*] Did you find that your notification in Baraset, to the effect that the ryots are at liberty to sow what crop they pleased on their lands, had any prejudicial effect on any cultivation save that of Indigo, such as jute, sugar, tobacco &c.? *A.* Certainly not; it was complained of this having stopped the cultivation of Indigo, but of no other crop, many of which were grown in advances in the Baraset district, such as rice, tobacco, and jute.

*Q.* Did you ever meet with any instances in which the ryots tried to evade obligations arising from advances taken for crops, other than Indigo? *A.* No, never; on the contrary, I have known ryots refuse to sell their jute at a high price to the Baraset Jail, because they were under advances to the Mahajuns living on the banks of the Hooghly.

*Q.* Can you state from your knowledge whether the persons making those advances, are in the habit of exercising a strict supervision over the ryots during the cultivation of the crops advanced for? *A.* No, they exercise no supervision whatever, and have no means of exercising such supervision.



*Q.* Do you know whether the persons making those advances are in the habit of fixing the prices of the produce, when the advances are made? *A.* Yes, the bargain is always made at the time of giving the advance, according to the condition of the market. The same people do not always make the same bargain every year. A dealer making an advance would get the produce at a lower rate than if he bought in the market at the time; this is the object for which this accommodation is given.

*Q.* Are many cases instituted in the courts by producers, or by those making the advances? *A.* As regards the Civil Courts, I have no accurate knowledge; but as regards the Criminal Courts, I have never had a case arising out of this question. The only complaints that I ever heard made, were in 1859; that year a large number of ryots came to me and said, that owing to the fear of a famine, Mahajuns would not give them advances of grain, and that as they had sold all their grain to those Mahajuns at the cutting of the crop, they would suffer great distress if advances were withheld.

*Q.* Mr. *Fergusson*.] Do you know if written agreements are taken on the occasion of such advances as you have mentioned? *A.* Written agreements are taken in the case of rice, but I never had cause to ascertain whether the same system is pursued with regard to all other crops, but from my knowledge of them, and the way they manage business, I believe it would be taken, and that on stamp paper.

*Q.* Do such agreements generally stipulate that the whole of the ryot's crop shall be made over to the Mahajun at the price fixed, or only a portion? *A.* I never read the stipulation, but the condition, as I understood it, was, that the ryot for one maund of rice should pay back a maund and a quarter at the time of cutting the rice. In the case of rice for seed, he would have to pay back a maund and half.

*Q.* *President*.] In the case of rice, over the cultivation of which the Mahajun exercises little or no supervision, would it not be

more correct to say that the question is not one of advances at all, but that the ryot borrows a maund of rice to feed himself and his family when the market is high, and pays it back at twenty-five or fifty per cent. interest, when he has gathered in his crop, and that the Mahajun finds it profitable to accumulate stores of grain and to lend them on the above terms? *A.* That is perhaps a more correct description of the transaction, but in practice the interest is not nearly twenty-five or fifty per cent, because a maund of rice at the season of advances is very nearly equal in value to a maund and quarter of rice in the harvest time, and the real object of the Mahajun is not so much to obtain a high rate of interest from his regular constituents, as to insure a large stock of rice to sell in distant markets by keeping up two connections with a considerable body of ryots engaged in rice cultivation, and who would naturally deal with him.

*Q.* Baboo *C. M. Chatterjee.*] If a ryot were allowed to cultivate all his lands with rice and other crops of his own liking, do you not think he would be able to pay off his Mahajun's debts, and in one year or two become independent? *A.* It is within my own knowledge that within the last two years ryots have, owing to the high price of grain, been unable to pay off their debts to the Mahajuns. And one of the largest Mahajuns in Orissa told me that this year he had been obliged to modify the terms on which he lent rice, and it stands to reason that the more land a man has, affording a profit, the sooner he would be in a position to accumulate, and be independent of his Mahajuns, provided he received sufficient protection.

*Q.* Mr. *Fergusson.*] Will not the landholder, as in all other countries, obtain a large portion of this rise in price of the produce of the land, or what portion of the land in Baraset do you estimate as held by ryots, whose rents cannot be enhanced? *A.* I believe that nearly all the ryots of Baraset are permanent hereditary occupiers, whose rent cannot be enhanced. Many of them having *pottas* from the old Kishnaghur Rajahs. I allude to the *jotedars*, and not to the *koorfa* ryots, who of course cultivate a great portion of the district under these *jotedars*.

*Q.* Is not the system of advances, both for produce and work, almost universal in that district, and in Bengal? *A.* I believe the system is very general, but I think in the present time that important works can be carried out without any advances, in support of which I beg to hand a letter which I have received from Captain Harris, the Superintending Engineer, Cuttack Circle; showing that on the spur which is being erected at the mouth of the Kedjuri River, as many as 1,500 coolies per diem were at work, none of whom had received a pice of advances. These men came from all parts of the country.

*Q. President.]* Have you any means of informing the Commission of the comparative cost of cultivating indigo, rice, and other crops, and of the respective produce of the same? *A.* I beg to hand a statement showing that the cost of growing Indigo on tobacco land is rupees 13-6 a beegah, and the produce of twenty bundles per beegah would only be four rupees, entailing thereby a loss of rupees 9-6, and showing also that a crop of tobacco, according to the details of cultivation given in Major Smyth's statistical report, would amount to twenty-four rupees, and would produce a crop, according to my calculation, of seven maunds at five rupees, but according to Major Smyth's report thirteen maunds, giving the ryot a clear profit, according to my calculation, of eleven rupees. I may add that in 1857 tobacco was selling in Baraset at eighteen rupees a maund. I also hand in a comparative statement of a crop of Indigo and rice grown on the same land, by which it will appear that by Indigo the ryot loses one rupee fourteen annas, and by the rice he gets ten rupees seven annas, (filed accordingly.) This information I have derived from enquiries made from ryots at various periods during the last three years, and partly from the statistical reports of the Revenue Surveyor. My reason for giving the rent at three rupees is, that the land is required for the whole twelve months, and therefore I have given a full average rent. The rent of the rice land which I have given as one rupee, being of an unfair description, I have calculated the produce of the Indigo on the rice land as one-half of the cut-turn of Indigo on tobacco land.

**Q.** Do you consider it indispensable to the cultivation of Indigo, that there should be a system of advances ? **A.** No, I do not think it indispensable that the Planters should make any advances. The Planters say, that the ryots are so dishonest, that they invariably take advances with intent to defraud. The ryots say "we don't want advances", and the real struggle always is, as proved by numerous cases, to get them to take advances to get them in the factory books ; this being so, both parties should, according to their own statements, be satisfied by an abolition of the advance system. The Planter would not run the risk of fraud, and the ryot would be allowed to please himself as to the parties from whom he would take accommodation, if even, therefore, it was admitted that the ryots had not even yet advanced to that state of prosperity, at which they would be able to cultivate a crop without any advance at all, it would surely be better to allow the ryots to procure the necessary advance from some other source to which he has not the same objection. I believe that if a more remunerative price were offered, any amount of plant would be forthcoming without the Planter's advances.

**Q.** Supposing the contract to be voluntary, and the cultivation to be remunerative to the ryot, you would not ever recommend such a thing as advances ? **A.** No.

**Q.** *Mr. Fergusson.*] Can you say what you consider would be a remunerative price for the ryot, say in bundles per rupee ? **A.** This is a question which is almost impossible to answer, for we have no means of ascertaining the market price of a crop which has hitherto been grown under a system of small monopolies ; the cost of production or material price would be considered in the case of tobacco lands by payments which would bring the price per beegah to rupees 13-6, *i. e.*, supposing the average to be fifteen bundles to one rupee per bundle ; this, however, would give the ryot no profit whatever ; on rice land this calculation would bring the price per beegah up to rupees 3-14, which would be the actual price of production without a profit, but you must take into consideration in fixing a fair price, the value of other crops which could be produced upon the

same land. Why should ryots be made to sow for mere cost of production ?

Q. Are you aware that in Rungpore lakhs of bundles of Indigo plant are produced and sold in the best market, not exceeding four bundles per rupee, and that the same takes place in Bancoorah and Bheerbhoom ? A. I have no knowledge of this fact, neither have I any knowledge of the peculiarities of those districts such as will enable me to account for this.

Q. *President.*] How do you reconcile the fact of advances being made by Government for the cultivation of the poppy and the manufacture of salt, with your opinion, that even under a voluntary system of Indigo cultivation, advances would not be necessary ? A. With reference to the salt, the explanation is as regards the Cuttack Agency, of which alone I have experience, that the lands on which the salt is made are unfit for any other purpose, and that the only crop which grows any where in the neighbourhood of these lands is rice ; that the means of communication in that part of the country is so difficult, as almost to exclude these men from the large markets, and their rice is consequently of no great value, therefore they depend almost entirely upon their salt advances, to carry them through that part of the year when there is no rice cultivation going on. Indeed, by their own petitions and by the report of the Commissioner, Mr. A. J. Mills, it appears that without these advances they would starve ; to use the words of their petition " our circumstances are so unfavourable, had we not have been supplied for the last two years with rice for our advances, we should all have starved to death, and not a Molunghee would have survived to manufacture." In an article of excise it is necessary that the supervising officers should have that entire control and power of selection as to the men employed for the manufacture, which could hardly be obtained except under a system of advances. As to opium, judging from the measures which it was necessary to adopt in 1848 and 1850, with a view of decreasing the amount of cultivation, I consider that then or any other time when the profits of opium are as much in advance of the

profits of other crops, as they were then, such system of advances would be unnecessary. To check the cultivation which was increasing too rapidly, it was necessary to issue positive restrictions; and it appears to me, that if these advances had been withheld, there would have been no difficulty in getting opium without advances, since the cultivation was so popular. This is a question, however, the practical details of which I have had no opportunities of studying, and I know nothing of the condition of the people of the Opium Districts.

*Q.* Then, are we to understand that you would gladly see advances discontinued, whenever possible, in any kind of cultivation? *A.* I believe the system to be very injurious, and would gladly see it abolished from every description of cultivation and work.

*Q.* Mr. *Fergusson*.] Do you believe that the Molunghees would manufacture salt, even at greatly enhanced rates to them, if advances were withheld, and if compulsion were not used by Government in the same way in which it is said to be done by Indigo Planters? *A.* I never heard of any compulsion being used in the Salt Department, and I do not believe that in that part of the country where I have had an opportunity of making enquiries, viz. Cuttack, any system of compulsory manufacture exists. In 1845-46 the cost of manufacture and transport at Cuttack had the effect of raising the price of Cuttack salt above the price of salt of other Agencies; it was considered desirable to decrease the amount of salt manufactured in that District, but for political reasons and on account of the great discontent which made itself known at the prospect of the cessation of the salt manufacture, the manufacture was continued on the earnest representation of the Commissioner Mr. Mills. It is probable that enhanced rates would bring in to the manufacture a richer class of people having sufficient capital to enable them to work without advances; but the people who now reside in that part of the country are, from local circumstances, so situated that their rice crop alone would not carry them through the year; for the greater portion of the year they live in a great measure on their advances. I put in a

rough form of *kabulyat* for salt advances. No advances are made without proper security being given in the Salt Department.

*Q.* Do you know that the Indigo Planters at Nuddea by supplying rice and making advances for Indigo have saved the people from starvation in 1838, or other years in the same way as it appears to have been done in Cuttack? *A.* I never heard that such was the case, but I can understand that Planters, who are also Zemindars, would for the sake of keeping their own ryots, naturally expend large sums for this purpose. I can mention Native Zemindars who have done the same with the same object.

*Q.* Baboo *C. M. Chatterjee.*] Is it not the fact that almost every Molunghee receives *fazil* after the manufacturing is closed? *A.* The amount of the first advances in the Cuttack Agency in 1858-59, was Rs. 59,935, and the second advance Rs. 46,063, and the *fazil* was rupees 7,350-10-6 : there were only out-standing balances at the end of the season of Rupees 2,723-15-0, out of Rupees 1,13,349-2-6. These out-standing balances were refunded by the Molunghees themselves during the year.

*Q.* *President.*] Have you any knowledge of petitions being presented to the Board of Revenue by the poppy cultivators of Behar complaining that the Agent would not allow them to cultivate? *A.* I have in my hand a petition presented by eighteen cultivators complaining to the Board that "they have been cruelly deprived of the privilege of opium cultivation on which they and their families have solely depended." I have also another petition from other ryots to the same effect. These petitions are dated March and June 1851. It has always been one of the most severe modes of punishment in the Opium Department to deprive a ryot of his license to cultivate, for smuggling or other misconduct. This was of course only a punishment so long as opium was a much more profitable crop than it is now; the rise of prices of other crops has made opium now less remunerative, and Government has been compelled to raise the price from Rupees 3-4 to 4 per seer.

*Q.* Baboo *C. M. Chatterjee.*] Do you know that the Planters

assist the ryots with medicines when they are sick, and with loans when their houses are blown down, and that they establish schools for the education of the ryots' children, and do not the Planters construct roads and offer other collateral advantages, which in some measure compensate for the want of direct profit to the ryots? *A.* In the Districts in which I have been, I have never seen schools or dispensaries or other establishments erected by Planters, but I believe it is the habit of every Planter as well as of every Englishman to have a family medicine chest, out of which he no doubt may give an occasional dose to a ryot, but from my knowledge of the ryot I am of opinion that a dose of medicine is considered as anything but a collateral advantage, and I cannot think that any amount of medicine would be considered by them as an equivalent for loss of liberty and money which the Indigo cultivation involves. I have heard that in Mulnath, Nischindipore, and Salgamoodia there are dispensaries kept up by Planters, but even these would not compensate the ryots of Moorshedabad and Malda for the losses which they sustained by the cultivation of Indigo. I have heard of occasional loans being given, without interest, on the loss of cattle and other accidents of that description, but they are always carried to the ryots' Indigo account, and I knew of roads having been made by Planters between their out-factories, and in such places as without such roads the plant could not have been brought into the Factory; but I can call to my mind no single instance of a road being constructed for the public good. I have known Planters who were useful members of the Ferry Fund Committee.

*Q. President.]* Do you not think the establishment of large Concerns causes a considerable circulation of money in a District? *A.* I do not consider that the establishment of such concerns has the effect of bringing into any District any amount of capital, which would not find its way there, without such concerns. For instance, if a lakh of rupees is sent up to carry on an Indigo Concern for one year, the amount which would find its way into the hands of the ryots would be utmost 50,000 Rupees, supposing every ryot received a full pay-



ment of two rupees per beegah, while I believe he seldom ever receives that amount ; this would represent a cultivation of 25,000 beegahs, and it would be a sum which would not remunerate for the cost of cultivation. If on the other hand these 25,000 beegahs had been left in the hands of the ryots to produce a crop giving a profit of ten rupees a beegah, the amount brought into the District from the sale of that crop would be two lakh and 50,000 Rupees, therefore so far from the Concern having done good by distributing in the District half a lakh, it keeps two lakhs out of the District, which would have come in, had the ryots had the use of their own lands.

*Q.* Mr. *Fergusson*.] Are you aware that this particular blue dye is the largest dyeing material used in the world, and one of the largest articles of sea-borne commerce in the world ? *A.* I believe it to be so.

*Q.* Are you aware that four-fifths of the whole of the Indigo produced in the world come from the territories of your late Hon'ble Masters ? *A.* I am aware that in the year 1600, Indigo was the main staple by which the E. I. Company made their profits, and that for many years they fostered the trade and made it what it is ; but at one period it was found to grow better in the West Indies ; and after carrying on the trade for a century, the East India Company gave up Indigo as an article of investment in favor of our West Indian Colonies ; but in the West Indies, as now in this country, it was found to be less profitable than other crops, and was given up and again taken up by the East India Company, who having lost £80,000 in the year 1779 by contract, magnanimously made it over to their servants and to private traders. The East India Agents being unable to advance money to enable the settlers to carry on the trade, the East India Company therefore with a view of fostering and encouraging the cultivation of Indigo in this country, advanced to the Indigo Planters at various times no less than a million of money, and in one year advanced no less than £137,000 ; it is to their special protection that the present trade in Indigo is to be attributed and not to private capitalists. I derive this information from the East India Company's

memorandum on private trade dated 1806, published by order of Parliament.

*Q. President.*] Considering the great importance of the Indigo trade, can you suggest any changes in the present system so that it should work well between planter and ryot ?—The only changes I can suggest are that the trade should be a fair, open, and voluntary trade ; and I believe that Indigo would then find its own value in the market as readily as any other article of trade ; I believe that if it was left to competition, the plant would soon find its own price, and one which would remunerate both parties ; if it cannot do this, then there is something special in the nature of the dye which makes it unsuitable to this country as an agricultural speculation. I certainly cannot recommend any *modification* of the present system, but that it should be entirely done away with, root and branch, and that real protection should be afforded to the ryots, who would then doubtless give it at a remunerative rate, without any necessity of special laws, or illegal compulsion. I do not, however, think that with the memory of the past, they will cultivate it on any terms for some years to come.

*Q.* Have you any objection to Planters holding courts, provided that ryots attend voluntarily ? *A.* I believe it to be open to very great abuse, and I believe that a Planter cannot help being prejudiced in favour of some ryot to the detriment of the others. But if any two ryots refer any question or dispute to the arbitration of the Planter, I should think it would be very desirable that they should do so, but I strongly object to any Planter being put in a position to give effect to a decision to which both parties do not agree.

*Q.* Do you think that the establishment of Indigo factories has the effect of diminishing crimes and felonies, and does it not increase affrays and agrarian outrages ? *A.* No ; for I have observed that in some Districts where there are no factories whatever, there are comparatively few violent crimes. As regards dacoity, I believe that those who are principally engaged in dacoity, are men who have been brought up as *lattiats*, and who first learnt violence and plunder in agrarian outrages ; and I believe that *lattiats* are to be found in greater numbers in Indigo

Districts than in non-Indigo Districts. Mr. Ricketts, the late Member of Council, officially expressed a strong opinion, that the establishment of Indigo factories increased rather than decreased violent crimes. In the province of Orissa, in which there are no Indigo concerns, burglary and theft are as constant occurrences as in any district in Bengal, but dacoity and affray are entirely unknown.

*Q. Mr. Fergusson.*] Then, you do not think that the residence of European gentlemen in the interior has improved either the physical or moral condition of the people? *A.* Although I have no doubt, that there are many individuals who have done great good and rendered assistance to the authorities, yet, as a general rule, I do not think the residence of Indigo Planters has improved to any great extent the physical or moral condition of the people. I believe there are to be found more bad characters settled around Indigo factories, than in distant villages in which an European has never been seen. My remarks do not apply either to silk manufactories or rum distillers or Sunderbund settlers: of the latter of whom I had a great many in my District, but against whom I never had a single complaint. I allude only to the Indigo Planters who, as a rule, live in constant antagonism with the people around them—a state of things which cannot conduce to the peace of the country.

*Q. President.*] Have you ever known of cases in which a Planter did not enhance rents in a *putni* or *ijara* on condition that the ryot should cultivate Indigo? *A.* I believe the ryots always paid the full rents which a Planter is legally entitled to collect, even in *ijaras* in which no special *ijardarri* fee is taken, but the general rule of Planters who hold *ijaras*, is to collect a special fee of one or two annas per rupee in excess of the legal, rents to repay the expense of the farm or the *putni*, as for instance, Mr. Larmour in my District took an *ijardari* fee of one-half anna per rupee.

*Q.* Had you any Missionaries in Baraset, or did the influence of other Missionaries extend to Baraset? *A.* With the exception of a Native preacher in the town of Baraset, and with the exception of a gentleman once passing through the District in a boat, I never saw

or heard of a Missionary the whole time I was in Baraset, and I am quite convinced, that no influence direct or indirect has been exercised by any Missionary over the ryots of Baraset.

*Q.* Do you know a substantial ryot named Amir Biswas of Baraset, who has tobacco lands, and sows Indigo? *A.* I know him very well, he is one of the most influential and respectable ryots in the District of Baraset, he is a *jotedar* with large property.

*Q.* Mr. Fergusson.] Do you think that if you had issued a *parwanna* embodying the words of Section XI of Act X, it would have the effect of inducing most ryots to withhold their rents? And what is your opinion as to the withdrawal of that power from the Zemindar? *A.* I do not think that if I had issued a *parwanna* embodying that Section, that it would have had any such effect upon the ryot. For since the passing of that Act, I have done all in my power to make the ryots acquainted with the provisions of that Act, and when they have complained, I have speedily pointed out Section XI. and it has not had the effect of inducing them to withhold their lawful rents. This refers to Cuttack. I was not in Baraset when the Act was brought into operation. I believe that Section is one of the greatest boons that has ever been granted to the ryots during the present century. It rescinds a law which was the main cause of half the oppression, which they as ryots have suffered over since the date of the Permanent Settlement?

*Q.* Have you no doubts as to the effects of the withdrawal of that power from Zemindars, and does it not appear to you likely that the consequences may be the forfeiture of many estates from ryots refusing or delaying to pay rents? *A.* No, I apprehend no such results; it leaves in the hands of the Zemindars full power to send over to demand the rent, and any other power beyond that with which it could be invested, would have the effect of again reducing the ryots to the practical serfdom in which they were before the passing of that Act. I have consulted several Zemindars in Cuttack and elsewhere, who appear to apprehend no difficulty whatever of this description, and moreover since the passing of this Act, it would not appear that

the landed property had been at all depreciated in value : for a few weeks ago, I sold an estate for arrears of revenue, the sudder jumma of it was 814 Rupees, and the surplus collections 462 Rupees, for no less a sum than 24,000 Rupees and this too in a non-Permanently Settled District. Had there been any such apprehension as that alluded to, no man would have invested his money in this way.

*Q. President.]* Have you ever had any personal difference with any European Planter ? *A.* Never of any sort or description, except in connection with the performance of my duties as Magistrate.

*Q.* Can you state if a new purchaser of a factory pays in full for the out-standing balances in addition to the buildings for the factory ? *A.* The Baraset Concern was purchased by Mr. Prest-wich for 1,50,000 Rupees. The out-standing balances were Rupees 1,14,474-2-10, after deducting the value of block, stock, *ijaras*, and *dena pouna*, the price given for the out-standing Indigo balance must have been little more than nominal.

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EXTRACT FROM AN ACCOUNT.

OF

BHOOTAN

BY

BABOO KISHEN KANT BOSE.

(WHO VISITED THAT COUNTRY UNDER AUTHORITY OF GOVERNMENT IN 1815).

*Translated by D. Scott, Esq.*

“ THE Country of Bootan is bounded on the South by the Territories  
of the Hon’ble Company and of the Raja of  
Extent and boundaries of the Country of Bootan. Cooch Behar ; on the East and South by  
Assam ; on the North by the Lhasa Territories ;  
by Men, or the Lepha country on the West ; and by Digurchee on  
the North-West. The country extends in length from East to West,  
in some places twenty days, and in some parts twenty-five days’  
journey ; but is less in breadth, being from South to North from ten  
to fifteen days’ journey. The Bootan Territory is entirely mountain-  
ous except on the South, South-West, and Eastern parts, where there  
is level land. The low-lands, if well cultivated, are capable of pro-  
ducing a revenue of seven or eight lakhs of Rupees ; but they are in  
general waste, and at present the whole revenue of Bootan, including  
mal and sayar, and all items of collection, does not probably amount  
to three lakhs of Rupees.

“ It is related by the people of Bootan that to the North of Lhasa  
there is a country called Lenja, in which Lam Sapto, or the Dhurma  
Raja, formerly dwelt. From that place he went to Lhasa, and after  
residing there for some time he arrived at Poonakh in Bootan, which  
was at that time ruled by a Raja of the Cooch tribe. When the  
Dhurma Raja arrived there he began to play upon a kind of pipe  
made of a human thigh bone, and to act contrary to the observances  
of the Cooch tribe; and to perform miracles, at which the Cooch Raja

was so terrified that he disappeared with his whole family and servants under ground. The Dhurma Raja, finding the fort empty, went in and took possession, and having deprived of their caste all the followers and slaves of the Cooch Raja who remained above ground, he instructed them in his own religious faith and customs : their descendants still remain at Poonakh and form the caste or tribe called Thep. In this way the Dhurma Raja got possession of Poonakh, but on consideration that the sins of his subjects are attributable to the ruler of a country, instead of setting himself on the throne, and exercising the sovereign authority, he sent to Lhasa for a Thibetan in order to secure possession of the country ; and having made him his Prime Minister, and called him the Deb Raja, he occupied himself entirely with the cares of religion and contemplation of the Deity. At that time the respective boundaries, tribute, and authority of the different Rajas or Governors of Bootan were settled as they continue to this day, as will be more particularly detailed hereafter.

“ All the people of Bootan considered the Dhurma Raja as their spiritual guide and incarnate Deity, and implicitly obeyed his orders. Sometime after this, and shortly before the Dhurma Raja's death, he directed that on the occurrence of that event his dwelling house, refectory, and store-rooms, should be looked up, and that his slaves and wealth should be taken care of as before ; that his body should not be burned, but having been fried in oil, that it should be put into a box, and that tea and rice and vegetables should be placed daily at the hour of meals near the box, whilst his followers should perform religious worship, by which means he should obtain the food, until after a time he should be regenerated at Lhasa, and would again come to take possession of his country. After that the Dhurma Raja died, and in the course of time the child of a poor man in Lhasa began to say, in the third year of his age, “ I am the Dhurma Raja, my country is Lúlumba, or Bootan ; my house and property are there. ” On hearing this the Deb Raja sent people to make enquiry respecting the child. On their arrival at Lhasa they

went to him, and having heard what he said, they acknowledged him as Dhurma Rāja ; but on wishing to take him away, the ruler of Lhassa and the child's parents objected thereto, upon which the Deb Raja sent large presents of money, horses, and goods to the ruler of Lhassa, and to the parents of the child, and brought away the latter into the country of Bootan. On his arrival there certain articles were taken out of the store rooms of the deceased Dhurma Raja, and being mixed with similar articles belonging to others, were shown to the child, and he was asked which of the things were his. Upon this the infant Dhurma Raja recognized his former property, and as he also knew the slaves, it appeared that he was in reality the Dhurma Raja, and he was accordingly seated with the usual religious observances and ceremonies on the throne. After that he began to read the *Shastras* and to perform the ceremonies practised by the former Dhurma Raja ; and in the same manner being thus continually regenerated the Dhurma Rajas continue until the present day. The reigning Dhurma Raja is according to some the tenth,\* and according to others the eleventh ; but none can tell exactly, nor can they say how many years it is since the first Dhurma Raja came to Poonakh from Lenja. These particulars are contained in a *Lamta* or history of the Dhurma Raja ; but the only copies of it are in the hands of the reigning Dhurma and Deb Rajas, and it is not procurable. The present Dhurma Raja was not regenerated in Lhassa, the reason of which is as follows : previously to the death of the late Dhurma Raja, the Deb Raja and other counsellors of

\* The Dhurma Rajas succeeding to the Government at the age of three, the value of ten of their lives will be about 350 years, and if from this we deduct the value of one life on account of the advanced age of the first Dhurma Raja, and the period which the reigning one has still to live, the remainder, 315 years, will approximate very nearly to the period when the present Cooch Behar dynasty first appeared, the founder of which may have been the expelled Cooch Raja. This is the 312th year of the Cooch Behar era—T.



State entreated the Dhurma saying "you have hitherto been regenerated in Lhassa, and in bringing you here a great expense is unnecessarily incurred." Upon which the Dhurma replied, "I will become regenerated in the Shasheb caste, and in Tongso," and accordingly he reappeared in Tongso, and is of the Shasheb caste. In like manner, as the Dhurma Rajas at the age of three years declare their regenerations, other persons in Bootan also at the same age make similar declarations, and if there is a wife or child or relation of the person in his former birth alive, they present something to the parents of the child and carry him to a Gylong or monk who has forsaken the world, or to the Dhurma Raja or some place of worship and there make a Gylong of him. If no relation of the child in his former birth remain, his parents themselves make a Gylong of him in the manner above described. Of this kind of Gylongs fifty or sixty might be found, but before or after three years of age none of them can recollect their former existence : in this manner also are regenerated the Lama of Lhassa, Gyú Rimbíchú, and the Lama of Digurchee, Penjelam or Teshoo Lama, and the ruler of Chake called Chakelam.

"The Booteahs consider the Dhurma Raja as their spiritual guide, incarnate Deity, and Sovereign prince ; but in respect to the internal government of the country or to its relations with any Foreign States, he has no authority whatever ; and, with exception to spiritual and religious matters, the administration of the Government of the country is conducted by the Deb Raja, with the advice of the Korjis and Counsellors, and in some cases with the concurrence of the Dhurma Raja. From the cares of Government the Dhurma Raja is almost entirely free, and he has no great number of attendants for purposes of State. Accordingly to the ancient custom he receives for his daily subsistence 8 measures, or 4lbs. of rice, his Zimpé receives 2lbs. and the Gylongs attached to his suite receive some 2lbs. some 1lb. according to their rank. The Zinkaffs or Messengers, and Sankaups or menial servants, and his male and female slaves to the number allowed by ancient custom, each receive 1lb. of

rice per diem : it is called in Bootan clean rice, but is in fact half composed of that grain in the husk. Besides the above, any person who is employed by the Dhurma Raja on the public service is paid from the public Treasury by the Deb Raja. The Dhurma Raja also receives something in the way of Nuzzerana or offerings from the inferior Chiefs, and he trades to some extent. These perquisites are under the control of the Lam Zimpé or household steward, the Dhurma himself remaining constantly employed in the performance of his religious duties. The Lam Zimpé exercises authority over the agents in trade, and the Zinkaffs and slaves, male and female, and other personal dependents of the Dhurma Raja, and an Officer called Zimpenum acts as Lam Zimpé's deputy, and takes care of the treasury and store-rooms. About fifteen or twenty menials are employed in the service of the Dhurma Raja, and besides them sixty Zinkaffs\* or Messengers remain in attendance at the gate-way, and forty Gylongs are constantly in attendance for the performance of the ceremonies of religion ; the above constitute the whole of his personal attendants. The Dhurma Raja possesses lands in the low country to the South of the Hills of the annual value of seven or eight thousand Rupees, and trades with a capital of twenty-five or thirty thousand Rupees. On the appointment of any of the Officers of State they proceed, after receiving their dress of honor from the Deb Raja, to the Dhurma Raja, to whom they present an offering, and receive a handkerchief, or a piece of silk of three feet in length and two fingers breadth, which is tied about their necks ; this they consider sacred, and to act as a preservative from danger. From this source the Dhurma Raja may receive 2,000 Rupees per annum. When any of the Dhurma Raja's servants obtain any public employment, they also present him with something additional, and when people die, he receives something at the funeral obsequies, or when any religious ceremony takes place ; from both these sources he may derive about 2,000 Rupees annually. Besides the above income

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\* Spelt Zingarba by the Booteahs.

he possesses about one hundred and twenty-five tangans and mares, one hundred and fifty or two hundred cows and buffaloes, and a considerable sum of ready money. His expences are very considerable, as he is obliged to maintain all supernumerary Gylongs and followers exceeding the ancient establishment from his private funds, and also to defray the expences of the religious ceremonies and charitable donations, so that little remains of his annual receipts. The Deb Raja has no authority over the Dhurma Raja's people, and whatever is done by the Deb Raja is done with the advice or knowledge of the Kalan, who is one of the Counsellors invariably appointed by the Dhurma Raja. If the Dhurma Raja's people go to any Soubah or Collector in the interior, they receive from them their food, but without the Deb Raja's orders they can neither demand food from the Ryots, nor porters to carry their baggage. Lam Zimpé has under his orders twenty peons ; in point of rank he is on an equality with the Deb Raja's Dewan.

"The Deb Raja is the Prime Minister. The Doney is the Deb Raja's public Dewan. Kalan is a Counsellor who attends on the part of the Dhurma Raja, and these two, with Punab or Puna Zimpé, the Governor of Poonakh, and Thinpoab or Thinpoo Zimpé the Governor of Tassisudon, are the four chief Counsellors of State. Wandipoor Zimpé, [the Governor of the Fort of Wandipoor, Paro Pillo, the Governor of Paro, Tongso Pillo, the Governor of Tongso, and Tagna Pillo, the ruler of Tagna, are also of the same rank ; and without their concurrence the Deb Raja can do nothing ; they are equal in rank to the four Counsellors above mentioned, and the rulers of smaller Districts, and the Soubahs of Passes, are under their respective orders.

"The Deb Raja or the Prime Minister is the principal organ of Government. He receives the customary tribute from the different Governors of Districts, and having laid it up in the Government Store-rooms disburses the established charges of the State. He has, however, no authority to deviate in the smallest degree from the observance of established customs. The revenue which he receives from

the country is expended in religious ceremonies and in feeding the dependents of Government. The Deb Raja is entitled to 6 measures or 3 lbs. of rice from the Government stores daily; his Zinkaffs and Sankaups are also fed from the public stores, but receive no wages. His other perquisites are from six sources, as follows :—

“1st.—When any person is appointed a Pillo or Zimpe, or to any office of State, they present something to the Deb Raja. 2ndly. He receives personally the whole revenue of the low-land estates of Moinagooree, &c., about 30,000 Rupees per annum. 3rdly.—He trades with a capital of about 40,000 Rupees. 4thly.—He receives a fine in all cases of murder or homicide of 126 Rupees from the offender. 5thly.—He is entitled to the property of all servants of Government on their demise, unless they may have been dependents of the Dhurma Raja, who in that case succeeds to their property. 6thly.—He presents horses, silk, salt, and hoes to the petty land holders and farmers, and receives much more than the value in return. By these means he collects money, and with the contents of the public store-rooms, and the produce of his brood mares and cattle, he defrays the charges of the religious ceremonies and expence attending the manufacture and sanctification of new images of the deities, which are constantly going on in the palace. When the Deb Raja vacates his Office he must leave to his successor 500 Rupees in cash in the Treasury, 126 slaves, 126 horses, and the ensigns and appendages of State, and with the remainder of his wealth he may retire where ever he pleases, but upon his death the reigning Deb Raja will be entitled to what he leaves.

“The Deb Zimpe, or the private Dewan of the Deb Raja, has an establishment of twenty Poes or fighting messengers; he superintends the trading and other concerns of the Deb Rajas, and is entitled to 2lbs. of rice per diem, and to certain perquisites on the appointments of the inferior officers of Government, and in cases of homicide.

“The Deb Zimpé's Poes receive the same allowance as those of the four Counsellors or Karjis.

“The Zimpenum is the steward of the household. The wardrobe,

cash, jewels, and plate are under his charge ; he has ten Poes or fighting messengers under his orders, and receives an allowance of  $1\frac{1}{2}$ lb. of rice, and a fee from persons visiting the Deb Raja. His rank is equal to that of the Dewans of the Soubahs.

"The Dony or public Dewan and Sheriff constantly attends the Deb Raja, and transacts the public business of Government. He has an establishment of twenty Poes, receives an allowance of 2lbs. of rice, a fee in cases of homicide, and a present for an appointment ; he has about ten or twelve menials all armed.

"The Goreba, or Warden of the Fort gate, has five Poes and is equal in rank to the Donchap.

"The Donchap or Zemindar has under him ten Poes ; he is the Deputy of the Dony and executes his orders ; he receives an allowance of  $1\frac{1}{2}$ lbs. of rice, and his chief business is to go and inform the Dhurma and Deb Rajas when the rice is boiled, and after receiving their orders to see that each person gets his proper share. Tabey is the chief of the Zinkaffs, of whom 100 remain in attendance on the Deb Raja. Tabey has ten Poes and an allowance of  $1\frac{1}{2}$ lbs. of rice. The Zinkaffs go to war, and on errands of trade and public business, and each receives 1lb. of rice, and allowance of tea and spirits, and four pieces of cloth. Tapé is the head groom, he has five Poes and 150 grooms under his orders. He has charge of the horses and receives  $1\frac{1}{2}$ lbs. of rice.

"Nep is the store-keeper of the rice.

"Ch'hane has charge of the salt and groceries, and has three or four Poes ; he receives 1lb. of rice.

"Mané is the chief of the buttermen, and has three Poes and an allowance of 1lb. of rice.

"Shané has charge of the larder ; his attendants, &c., as above.

"Thapé is the chief cook, he has twenty Poes, and receives  $1\frac{1}{2}$ lbs. of rice.

"Tongso is the chief physician, he has four Poes, and receives 2lbs. of rice.

"Labetui is the Bootan secretary ; he has five Poes and 2lbs. of





rice, he also receives something from the Soubahs, and has altogether about 1,000 Rupees per annum.

EXTRACT FROM AITCHISON'S TREATIES VOL. I.

NO. LIV.

TREATY, COVENANT, OR AGREEMENT entered into by the HONORABLE ASHLEY EDEN, ENVOY and SPECIAL COMMISSIONER on the part of the BRITISH GOVERNMENT, in virtue of full powers vested in him by the RIGHT HONORABLE CHARLES EARL CANNING, GOVERNOR-GENERAL in COUNCIL, and by HIS HIGHNESS SEKEONG KUZOO, MOHARAJAH of Sikkim on his own part.

Whereas the continued depredations and misconduct of the officers and subjects of the Maharajah of Sikkim, and the neglect of the Maharajah to afford satisfaction for the misdeeds of his people, have resulted in an interruption, for many years past, of the harmony which previously existed between the British Government and the Government of Sikkim, and have led ultimately to the invasion and conquest of Sikkim by a British force ; and whereas the Maharajah of Sikkim has now expressed his sincere regret for the misconduct of his servants and subjects, his determination to do all in his power to obviate future misunderstanding, and his desire to be again admitted into friendship and alliance with the British Government, it is hereby agreed as follows :—

I.

All previous Treaties made between the British Government and the Sikkim Government are hereby formally cancelled.

II.

The whole of the Sikkim Territory now in the occupation of British forces is restored to the Maharajah of Sikkim, and there shall henceforth be peace and amity between the two States.



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### III.

The Maharajah of Sikkim undertakes, so far as is within his power, to restore, within one month from the date of signing this Treaty, all public property which was abandoned by the detachment of British Troops at Rinchinpoong.

### IV.

In indemnification of the expenses incurred in 1860 by the British Government in occupying a portion of the territory of Sikkim as a means of enforcing just claims which had been evaded by the Government of Sikkim, and as compensation to the British subjects who were pillaged and Kidnapped by subjects of Sikkim, the Sikkim Government agrees to pay to the British authorities at Darjeeling the sum of 7,000 (seven thousand) Rupees in the following instalments, that is to say :—

May 1st. 1861	...	...	...	1,000
Nov. 1st. 1861	...	...	...	3,000
May 1st. 1862	...	...	...	3,000

As security for the due payment of this amount, it is further agreed that, in the event of any of these instalments not being duly paid on the date appointed, the Government of Sikkim shall make over to the British Government that portion of its territory bounded on the south by the River Rummam, on the east by the Great Runjeet River, on the north by a line from the Great Runjeet to the Singaleelah Range, including the monasteries of Tassiding, Pemonchi, and Changacheling, and on the west by the Singaleelah Mountain Range, and the British Government shall retain possession of this territory and collect the revenue thereof, until the full amount, with all expenses of occupation and collection, and interest at 6 per cent per annum, are realized.

### V.

The Government of Sikkim engages that its subjects shall never again commit depredations on British territory, or Kidnap or other-

wise molest British Subjects. In the event of any such depredation or kidnapping taking place, the Government of Sikkim undertakes to deliver up all persons engaged in such malpractice, as well as the Sardars or other Chiefs conniving at or benefiting thereby.

## VI.

The Government of Sikkim will at all times seize and deliver up any criminals, defaulters, or other delinquents who may have taken refuge within its territory, on demand being duly made in writing by the British Government through their accredited agents. Should any delay occur in complying with such demand, the Police of the British Government may follow the person whose surrender has been demanded into any part of the Sikkim territory, and shall, on showing a warrant, duly signed by the British Agent, receive every assistance and protection in the prosecutoin of their object from the Sikkim officers.

## VII.

Inasmuch as the late misunderstandings between the two Governments have been mainly fomented by the acts of the Ex Dewan Namguay, the Government of Sikkim engages that neither the said Namguay, nor any of his blood relations, shall ever again be allowed to set foot in Sikkim, or to take part in the councils of, or hold any office under the Maharajah, or any of the Mahajah's family at Choombi.

## VIII.

The Government of Sikkim from this date abolishes all restrictions on travellers and monopolies in trade between the British territories and Sikkim. There shall henceforth be a free reciprocal intercourse, and full liberty of commerce between the subjects of both countries; it shall be lawful for British subjects to go into any part of Sikkim for the purpose of travel or trade, and the subjects of all countries shall be permitted to reside in and pass through Sikkim, and to expose their goods for sale at any place and in any manner.

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that may best suit their purpose, without any interference whatever, except as is hereinafter provided.

## IX.

The Government of Sikkim engages to afford protection to all travellers, merchants, or traders of all countries, whether residing in, trading in, or passing through Sikkim. If any marchant, traveller, or trader, being a European British subject, shall commit any offence contrary to the laws of Sikkim, such person shall be punished by the representative of the British Government resident at Darjeeling, and the Sikkim Government will at once deliver such offender over to the British authorities for this purpose, and will, on no account, detain such offender in Sikkim on any pretext or pretence whatever. All other British snbjects residing in the country to be liable to the laws of Sikkim ; but such persons shall, on no account, be punished with loss of limb, or maiming, or torture, and every case of punishment of a British subject shall be at once reported at Darjeeling.

## X.

No duties or fees of any sort shall be demanded by the Sikkim Government of any person or persons on account of goods exported into the British territories from Sikkim, or imported into Sikkim from the British territories.

## XI.

On all Goods passing into or out of Thibet, Bhootan, or Napal, the Government of Sikkim may levy a duty of customs according to such a scale as may, from time to time, be determined and published without reference to the destination of the goods, provided, however, that such duty shall, on no account, exceed 5 per cent. on the value of the goods at the time and place of the levy of duty. On the payment of the duty aforesaid a pass shall be given, exempting such goods from liability to further payment on any account whatever.

**XII.**

With the view to protect the Government of Sikkim from fraud on account of undervaluation for assessment of duty, it is agreed that the custom officers shall have the option of taking over for the Government any goods at the value affixed on them by the owner.

**XIII.**

In the event of the British Government desiring to open out a road through Sikkim, with the view of encouraging trade, the Sikkim Government will raise no objection thereto, and will afford every protection and aid to the party engaged in the work. If a road is constructed, the Government of Sikkim undertakes to keep it in repair, and to erect and maintain suitable traveller's rest-houses throughout its route.

**XIV.**

If the British Government desires to make either a topographical or geological survey of Sikkim, the Sikkim Government will raise no objection to this being done, and will afford protection and assistance to the Officers employed in this duty.

**XV.**

Inasmuch as many of the late misunderstanding have had their foundation in the custom which exists in Sikkim of dealing in slaves, the Government of Sikkim binds itself, from this date, to punish severely any person trafficking in human beings, or seizing persons for the purpose of using them as slaves.

**XVI.**

Henceforth the subjects of Sikkim may transport themselves without let or hinderance to any country to which they may wish to remove. In the same way the Government of Sikkim has authority to permit the subjects of other countries, not being criminals or defaulters, to take refuge in Sikkim.

**XVII.**

The Government of Sikkim engages to abstain from any acts of aggression or hostility against any of the neighbouring States which are allies of the British Government. If any disputes or questions arise between the people of Sikkim and those of neighbouring states, such disputes or questions shall be referred to the arbitration of the British Government, and the Sikkim Government agrees to abide by the decision of the British Government.

**XVIII.**

The whole military force of Sikkim shall join and afford every aid and facility to British troops when employed in the Hills.

**XIX.**

The Government of Sikkim will not cede or lease any portion of its territory to any other State, without the permission of the British Government.

**XX.**

The Government of Sikkim engages that no armed force belonging to any other country shall pass through Sikkim, without the sanction of the British Government.

**XXI.**

Seven of the criminals, whose surrender was demanded by the British Government, having fled from Sikkim and taken refuge in Bhootan, the Government of Sikkim engages to do all in its power to obtain the delivery of those persons from the Bhootan Government, and in the event of any of these men again returning to Sikkim, the Sikkim Government binds itself to seize them, and to make them over to the British Authorities at Darjeeling without delay.

**XXII.**

With a view to the establishment of an efficient Government in Sikkim, and to the better maintenance of friendly relations with

the British Government, the Maharajah of Sikkim agrees to remove the seat of his Government from Thibet to Sikkim, and reside there for nine months in the year. It is further agreed that a Vakeel shall be accredited by the Sikkim Government, who shall reside permanently at Darjeeling.

**XXIII.**

This Treaty, consisting of twenty-three Articles, being settled and concluded by the Honorable Ashley Eden, British Envoy, and His Highness Sekeong Kuzoo Sikkimputtee, Maharajah, at Tumloong, this 28th day of March 1861, corresponding with 17th Dao Neepoo 61, Mr. Eden has delivered to the Maharajah a copy of the same in English, with translation in Nagri and Bhootiah, under the seal and signature of the said Honorable Ashley Eden, and His Highness the Sikkimputtee Maharajah, and the Sikkimputtee Maharajah has in like manner delivered to the said Hon'ble Ashley Eden another copy also in English, with translation in Nagri and Bhootiah, bearing the seal of His Highness and the said Hon'ble Ashley Eden. The Envoy engages to procure the delivery to His Highness, within six weeks from this date, of a copy of this Treaty, duly ratified by His Excellency the Viceroy and Governor-General of India in council, and this Treaty shall in the meantime be in full force.

Seal. (Signed.) SEKEONG KUZOO SIKKIMPÜTTEE.

(Signed.) ASHLEY EDEN,

*Envoy.*

Seal.

(Signed.) CANNING.

Seal.

Ratified by His Excellency the Viceroy and Governor-General of India in Council at Calcutta, on the sixteenth day of April 1861.

(Signed) C. U. AITCHISON,

*Under-Secy. to the Govt. of India.*



